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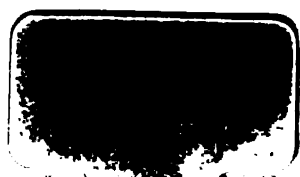
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UNITED STATES

OF

OF CONGRESS

AT THE

OF THE SECOND SESSION

OF

SEVENTH CONGRESS.

ordered that the usual number of the message and documents be printed.

VOLUME I.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1861.

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37TH CONGRESS, }
2d Session. }

SENATE.

{ Ex. Doc.
{ No. 1.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES

TO THE

TWO HOUSES OF CONGRESS

AT THE

COMMENCEMENT OF THE SECOND SESSION

OF

THE THIRTY-SEVENTH CONGRESS.

DECEMBER 3, 1861.—Read, and ordered that the usual number of the message and documents be printed.

VOLUME I.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1861.



MESSAGE.

Fellow-citizens of the Senate and House of Representatives :

In the midst of unprecedented political troubles, we have cause of great gratitude to God for unusual good health, and most abundant harvests.

You will not be surprised to learn that, in the peculiar exigencies of the times, our intercourse with foreign nations has been attended with profound solicitude, chiefly turning upon our own domestic affairs.

A disloyal portion of the American people have, during the whole year, been engaged in an attempt to divide and destroy the Union. A nation which endures factious domestic division, is exposed to disrespect abroad; and one party, if not both, is sure, sooner or later, to invoke foreign intervention.

Nations thus tempted to interfere, are not always able to resist the counsels of seeming expediency and ungenerous ambition, although measures adopted under such influences seldom fail to be unfortunate and injurious to those adopting them.

The disloyal citizens of the United States who have offered the ruin of our country, in return for the aid and comfort which they have invoked abroad, have received less patronage and encouragement than they probably expected. If it were just to suppose, as the insurgents have seemed to assume, that foreign nations, in this case, discarding all moral, social, and treaty obligations, would act solely, and selfishly, for the most speedy restoration of commerce, including, especially, the acquisition of cotton, those nations appear, as yet, not to have seen their way to their object more directly, or clearly, through the destruction, than through the preservation, of the Union. If we could dare to believe that foreign nations are actuated by no higher principle than this, I am quite sure a sound argument could be made to show them that they can reach their aim more readily, and easily, by aiding to crush this rebellion, than by giving encouragement to it.

The principal lever relied on by the insurgents for exciting foreign

nations to hostility against us, as already intimated, is the embarrassment of commerce. Those nations, however, not improbably, saw from the first, that it was the Union which made, as well our foreign, as our domestic commerce. They can scarcely have failed to perceive that the effort for disunion produces the existing difficulty; and that one strong nation promises more durable peace, and a more extensive, valuable and reliable commerce, than can the same nation broken into hostile fragments.

It is not my purpose to review our discussions with foreign states; because whatever might be their wishes, or dispositions, the integrity of our country, and the stability of our government, mainly depend, not upon them, but on the loyalty, virtue, patriotism, and intelligence of the American people. The correspondence itself, with the usual reservations, is herewith submitted.

I venture to hope it will appear that we have practiced prudence, and liberality towards foreign powers, averting causes of irritation; and, with firmness, maintaining our own rights and honor.

Since, however, it is apparent that here, as in every other state, foreign dangers necessarily attend domestic difficulties, I recommend that adequate and ample measures be adopted for maintaining the public defences on every side. While, under this general recommendation, provision for defending our sea-coast line readily occurs to the mind, I also, in the same connexion, ask the attention of Congress to our great lakes and rivers. It is believed that some fortifications and depots of arms and munitions, with harbor and navigation improvements, all at well selected points upon these, would be of great importance to the national defence and preservation. I ask attention to the views of the Secretary of War, expressed in his report, upon the same general subject.

I deem it of importance that the loyal regions of East Tennessee and western North Carolina should be connected with Kentucky, and other faithful parts of the Union, by railroad. I therefore recommend, as a military measure, that Congress provide for the construction of such road, as speedily as possible. Kentucky, no doubt, will co-operate, and, through her legislature, make the most judicious selection of a line. The northern terminus must connect with some existing railroad; and whether the route shall be from Lexington, or Nicholasville, to the Cumberland Gap; or from Lebanon to the Tennessee line, in the direction of Knoxville; or on some still

different line, can easily be determined. Kentucky and the general government co-operating, the work can be completed in a very short time; and when done, it will be not only of vast present usefulness, but also a valuable permanent improvement, worth its cost in all the future.

Some treaties, designed chiefly for the interests of commerce, and having no grave political importance, have been negotiated, and will be submitted to the Senate for their consideration.

Although we have failed to induce some of the commercial powers to adopt a desirable melioration of the rigor of maritime war, we have removed all obstructions from the way of this humane reform, except such as are merely of temporary and accidental occurrence.

I invite your attention to the correspondence between her Britannic Majesty's minister accredited to this government, and the Secretary of State, relative to the detention of the British ship *Perthshire* in June last, by the United States steamer *Massachusetts*, for a supposed breach of the blockade. As this detention was occasioned by an obvious misapprehension of the facts, and as justice requires that we should commit no belligerent act not founded in strict right, as sanctioned by public law, I recommend that an appropriation be made to satisfy the reasonable demand of the owners of the vessel for her detention.

I repeat the recommendation of my predecessor, in his annual message to Congress in December last, in regard to the disposition of the surplus which will probably remain after satisfying the claims of American citizens against China, pursuant to the awards of the commissioners under the act of the 3d of March, 1859. If, however, it should not be deemed advisable to carry that recommendation into effect, I would suggest that authority be given for investing the principal, over the proceeds of the surplus referred to, in good securities, with a view to the satisfaction of such other just claims of our citizens against China as are not unlikely to arise hereafter in the course of our extensive trade with that Empire.

By the act of the 5th of August last, Congress authorized the President to instruct the commanders of suitable vessels to defend themselves against, and to capture pirates. This authority has been exercised in a single instance only. For the more effectual protection of our extensive and valuable commerce, in the eastern seas especially, it seems to me that it would also be advisable to authorize

the commanders of sailing vessels to re-capture any prizes which pirates may make of United States vessels and their cargoes, and the consular courts, now established by law in eastern countries, to adjudicate the cases, in the event that this should not be objected to by the local authorities.

If any good reason exists why we should persevere longer in withholding our recognition of the independence and sovereignty of Hayti and Liberia, I am unable to discern it. Unwilling, however, to inaugurate a novel policy in regard to them without the approbation of Congress, I submit for your consideration the expediency of an appropriation for maintaining a *chargé d'affaires* near each of those new states. It does not admit of doubt that important commercial advantages might be secured by favorable treaties with them.

The operations of the treasury during the period which has elapsed since your adjournment have been conducted with signal success. The patriotism of the people has placed at the disposal of the government the large means demanded by the public exigencies. Much of the national loan has been taken by citizens of the industrial classes, whose confidence in their country's faith, and zeal for their country's deliverance from present peril, have induced them to contribute to the support of the government the whole of their limited acquisitions. This fact imposes peculiar obligations to economy in disbursement and energy in action.

The revenue from all sources, including loans, for the financial year ending on the 30th June, 1861, was eighty-six million eight hundred and thirty-five thousand nine hundred dollars and twenty-seven cents, and the expenditures for the same period, including payments on account of the public debt, were eighty-four million five hundred and seventy-eight thousand eight hundred and thirty-four dollars and forty-seven cents; leaving a balance in the treasury, on the 1st July, of two million two hundred and fifty-seven thousand sixty-five dollars and eighty cents. For the first quarter of the financial year, ending on the 30th September, 1861, the receipts from all sources, including the balance of 1st of July, were one hundred and two million five hundred and thirty-two thousand five hundred and nine dollars and twenty-seven cents, and the expenses ninety-eight million two hundred and thirty-nine thousand seven hundred and thirty-three dollars and nine cents; leaving a balance, on the 1st of October, 1861, of four million two hundred and ninety-two thousand seven hundred and seventy-six dollars and eighteen cents.

Estimates for the remaining three quarters of the year, and for the financial year 1863, together with his views of ways and means for meeting the demands contemplated by them, will be submitted to Congress by the Secretary of the Treasury. It is gratifying to know that the expenditures made necessary by the rebellion are not beyond the resources of the loyal people, and to believe that the same patriotism which has thus far sustained the government will continue to sustain it till Peace and Union shall again bless the land.

I respectfully refer to the report of the Secretary of War for information respecting the numerical strength of the army, and for recommendations having in view an increase of its efficiency and the well being of the various branches of the service intrusted to his care. It is gratifying to know that the patriotism of the people has proved equal to the occasion, and that the number of troops tendered greatly exceeds the force which Congress authorized me to call into the field.

I refer with pleasure to those portions of his report which make allusion to the creditable degree of discipline already attained by our troops, and to the excellent sanitary condition of the entire army.

The recommendation of the Secretary for an organization of the militia upon a uniform basis, is a subject of vital importance to the future safety of the country, and is commended to the serious attention of Congress.

The large addition to the regular army, in connexion with the defection that has so considerably diminished the number of its officers, gives peculiar importance to his recommendation for increasing the corps of cadets to the greatest capacity of the Military Academy.

By mere omission, I presume, Congress has failed to provide chaplains for hospitals occupied by volunteers. This subject was brought to my notice, and I was induced to draw up the form of a letter, one copy of which, properly addressed, has been delivered to each of the persons, and at the dates respectively named and stated, in a schedule, containing also the form of the letter, marked A, and herewith transmitted.

These gentlemen, I understand, entered upon the duties designated, at the times respectively stated in the schedule, and have labored faithfully therein ever since. I therefore recommend that they be compensated at the same rate as chaplains in the army. I

further suggest that general provision be made for chaplains to serve at hospitals, as well as with regiments.

The report of the Secretary of the Navy presents in detail the operations of that branch of the service, the activity and energy which have characterized its administration, and the results of measures to increase its efficiency and power. Such have been the additions, by construction and purchase, that it may almost be said a navy has been created and brought into service since our difficulties commenced.

Besides blockading our extensive coast, squadrons larger than ever before assembled under our flag have been put afloat and performed deeds which have increased our naval renown.

I would invite special attention to the recommendation of the Secretary for a more perfect organization of the navy by introducing additional grades in the service.

The present organization is defective and unsatisfactory, and the suggestions submitted by the department will, it is believed, if adopted, obviate the difficulties alluded to, promote harmony, and increase the efficiency of the navy.

There are three vacancies on the bench of the Supreme Court—two by the decease of Justices Daniel and McLean, and one by the resignation of Justice Campbell. I have so far forbore making nominations to fill these vacancies for reasons which I will now state. Two of the outgoing judges resided within the States now overrun by revolt; so that if successors were appointed in the same localities, they could not now serve upon their circuits; and many of the most competent men there, probably would not take the personal hazard of accepting to serve, even here, upon the supreme bench. I have been unwilling to throw all the appointments northward, thus disabling myself from doing justice to the south on the return of peace; although I may remark that to transfer to the north one which has heretofore been in the south, would not, with reference to territory and population, be unjust.

During the long and brilliant judicial career of Judge McLean his circuit grew into an empire—altogether too large for any one judge to give the courts therein more than a nominal attendance—rising in population from one million four hundred and seventy thousand and eighteen, in 1830, to six million one hundred and fifty-one thousand four hundred and five, in 1860.

Besides this, the country generally has outgrown our present judi-

cial system. If uniformity was at all intended, the system requires that all the States shall be accommodated with circuit courts, attended by supreme judges, while, in fact, Wisconsin, Minnesota, Iowa, Kansas, Florida, Texas, California, and Oregon, have never had any such courts. Nor can this well be remedied without a change of the system; because the adding of judges to the Supreme Court, enough for the accommodation of all parts of the country, with circuit courts, would create a court altogether too numerous for a judicial body of any sort. And the evil, if it be one, will increase as new States come into the Union. Circuit courts are useful, or they are not useful. If useful, no State should be denied them; if not useful, no State should have them. Let them be provided for all, or abolished as to all.

Three modifications occur to me, either of which, I think, would be an improvement upon our present system. Let the Supreme Court be of convenient number in every event. Then, first, let the whole country be divided into circuits of convenient size, the supreme judges to serve in a number of them corresponding to their own number, and independent circuit judges be provided for all the rest. Or, secondly, let the supreme judges be relieved from circuit duties, and circuit judges provided for all the circuits. Or, thirdly, dispense with circuit courts altogether, leaving the judicial functions wholly to the district courts and an independent Supreme Court.

I respectfully recommend to the consideration of Congress the present condition of the statute laws, with the hope that Congress will be able to find an easy remedy for many of the inconveniences and evils which constantly embarrass those engaged in the practical administration of them. Since the organization of the government, Congress has enacted some five thousand acts and joint resolutions, which fill more than six thousand closely printed pages, and are scattered through many volumes. Many of these acts have been drawn in haste and without sufficient caution, so that their provisions are often obscure in themselves, or in conflict with each other, or at least so doubtful as to render it very difficult for even the best informed persons to ascertain precisely what the statute law really is.

It seems to me very important that the statute laws should be made as plain and intelligible as possible, and be reduced to as small a compass as may consist with the fullness and precision of the will of the legislature and the perspicuity of its language. This, well done, would, I think, greatly facilitate the labors of those whose duty it is to assist in the administration of the laws, and would be a

lasting benefit to the people, by placing before them, in a more accessible and intelligible form, the laws which so deeply concern their interests and their duties.

I am informed by some whose opinions I respect, that all the acts of Congress now in force, and of a permanent and general nature, might be revised and re-written, so as to be embraced in one volume (or at most, two volumes) of ordinary and convenient size. And I respectfully recommend to Congress to consider of the subject, and, if my suggestion be approved, to devise such plan as to their wisdom shall seem most proper for the attainment of the end proposed.

One of the unavoidable consequences of the present insurrection is the entire suppression, in many places, of all the ordinary means of administering civil justice by the officers, and in the forms of existing law. This is the case, in whole or in part, in all the insurgent States; and as our armies advance upon and take possession of parts of those States, the practical evil becomes more apparent. There are no courts nor officers to whom the citizens of other States may apply for the enforcement of their lawful claims against citizens of the insurgent States; and there is a vast amount of debt constituting such claims. Some have estimated it as high as two hundred million dollars, due, in large part, from insurgents, in open rebellion, to loyal citizens who are, even now, making great sacrifices in the discharge of their patriotic duty to support the government.

Under these circumstances, I have been urgently solicited to establish, by military power, courts to administer summary justice in such cases. I have thus far declined to do it, not because I had any doubt that the end proposed—the collection of the debts—was just and right in itself, but because I have been unwilling to go beyond the pressure of necessity in the unusual exercise of power. But the powers of Congress I suppose are equal to the anomalous occasion, and therefore I refer the whole matter to Congress, with the hope that a plan may be devised for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of this government, whether by a voluntary return to allegiance and order, or by the power of our arms. This, however, not to be a permanent institution, but a temporary substitute, and to cease as soon as the ordinary courts can be re-established in peace.

It is important that some more convenient means should be provided, if possible, for the adjustment of claims against the government, especially in view of their increased number by reason of the

war. It is as much the duty of government to render prompt justice against itself, in favor of citizens, as it is to administer the same, between private individuals. The investigation and adjudication of claims, in their nature belong to the judicial department; besides it is apparent that the attention of Congress, will be more than usually engaged, for some time to come, with great national questions. It was intended, by the organization of the court of claims, mainly to remove this branch of business from the halls of Congress; but while the court has proved to be an effective, and valuable means of investigation, it in great degree fails to effect the object of its creation, for want of power to make its judgments final.

Fully aware of the delicacy, not to say the danger, of the subject, I commend to your careful consideration whether this power of making judgments final, may not properly be given to the court, reserving the right of appeal on questions of law to the Supreme Court, with such other provisions as experience may have shown to be necessary.

I ask attention to the report of the Postmaster General, the following being a summary statement of the condition of the department:

The revenue from all sources during the fiscal year ending June 30, 1861, including the annual permanent appropriation of seven hundred thousand dollars for the transportation of "free mail matter," was nine million forty-nine thousand two hundred and ninety-six dollars and forty cents, being about two per cent. less than the revenue for 1860.

The expenditures were thirteen million six hundred and six thousand seven hundred and fifty-nine dollars and eleven cents, showing a decrease of more than eight per cent. as compared with those of the previous year, and leaving an excess of expenditure over the revenue for the last fiscal year of four million five hundred and fifty-seven thousand four hundred and sixty-two dollars and seventy-one cents.

The gross revenue for the year ending June 30, 1863, is estimated at an increase of four per cent. on that of 1861, making eight million six hundred and eighty-three thousand dollars, to which should be added the earnings of the department in carrying free matter, viz: seven hundred thousand dollars, making nine million three hundred and eighty-three thousand dollars.

The total expenditures for 1863 are estimated at twelve million five hundred and twenty-eight thousand dollars, leaving an estimated

deficiency of three million one hundred and forty-five thousand dollars to be supplied from the treasury, in addition to the permanent appropriation.

The present insurrection shows, I think, that the extension of this District across the Potomac river, at the time of establishing the capital here, was eminently wise, and consequently that the relinquishment of that portion of it which lies within the State of Virginia was unwise and dangerous. I submit for your consideration the expediency of regaining that part of the District, and the restoration of the original boundaries thereof, through negotiations with the State of Virginia.

The report of the Secretary of the Interior, with the accompanying documents, exhibits the condition of the several branches of the public business pertaining to that department. The depressing influences of the insurrection have been especially felt in the operations of the Patent and General Land Offices. The cash receipts from the sales of public lands during the past year have exceeded the expenses of our land system only about two hundred thousand dollars. The sales have been entirely suspended in the southern States, while the interruptions to the business of the country, and the diversion of large numbers of men from labor to military service, have obstructed settlements in the new States and Territories of the northwest.

The receipts of the Patent Office have declined in nine months about one hundred thousand dollars, rendering a large reduction of the force employed necessary to make it self-sustaining.

The demands upon the Pension Office will be largely increased by the insurrection. Numerous applications for pensions, based upon the casualties of the existing war, have already been made. There is reason to believe that many who are now upon the pension rolls and in receipt of the bounty of the government, are in the ranks of the insurgent army, or giving them aid and comfort. The Secretary of the Interior has directed a suspension of the payment of the pensions of such persons upon proof of their disloyalty. I recommend that Congress authorize that officer to cause the names of such persons to be stricken from the pension rolls.

The relations of the government with the Indian tribes have been greatly disturbed by the insurrection, especially in the southern superintendency and in that of New Mexico. The Indian country south of Kansas is in the possession of insurgents from Texas and Arkansas. The

agents of the United States appointed since the 4th of March for this superintendency have been unable to reach their posts, while the most of those who were in office before that time have espoused the insurrectionary cause, and assume to exercise the powers of agents by virtue of commissions from the insurrectionists. It has been stated in the public press that a portion of those Indians have been organized as a military force, and are attached to the army of the insurgents. Although the government has no official information upon this subject, letters have been written to the Commissioner of Indian Affairs by several prominent chiefs, giving assurance of their loyalty to the United States, and expressing a wish for the presence of federal troops to protect them. It is believed that upon the repossession of the country by the federal forces the Indians will readily cease all hostile demonstrations, and resume their former relations to the government.

Agriculture, confessedly the largest interest of the nation, has, not a department, nor a bureau, but a clerkship only, assigned to it in the government. While it is fortunate that this great interest is so independent in its nature as to not have demanded and extorted more from the government, I respectfully ask Congress to consider whether something more cannot be given voluntarily with general advantage.

Annual reports exhibiting the condition of our agriculture, commerce and manufactures would present a fund of information of great practical value to the country. While I make no suggestion as to details, I venture the opinion that an agricultural and statistical bureau might profitably be organized.

The execution of the laws for the suppression of the African slave trade has been confided to the Department of the Interior. It is a subject of gratulation that the efforts which have been made for the suppression of this inhuman traffic have been recently attended with unusual success. Five vessels being fitted out for the slave trade have been seized and condemned. Two mates of vessels engaged in the trade, and one person in equipping a vessel as a slaver, have been convicted and subjected to the penalty of fine and imprisonment, and one captain, taken with a cargo of Africans on board his vessel, has been convicted of the highest grade of offence under our laws, the punishment of which is death.

The Territories of Colorado, Dakotah and Nevada, created by the

last Congress, have been organized, and civil administration has been inaugurated therein under auspices especially gratifying, when it is considered that the leaven of treason was found existing in some of these new countries when the federal officers arrived there.

The abundant natural resources of these Territories, with the security and protection afforded by organized government, will doubtless invite to them a large immigration when peace shall restore the business of the country to its accustomed channels. I submit the resolutions of the legislature of Colorado, which evidence the patriotic spirit of the people of the Territory. So far the authority of the United States has been upheld in all the Territories, as it is hoped it will be in the future. I commend their interests and defence to the enlightened and generous care of Congress.

I recommend to the favorable consideration of Congress the interests of the District of Columbia. The insurrection has been the cause of much suffering and sacrifice to its inhabitants, and as they have no representative in Congress, that body should not overlook their just claims upon the government.

At your late session a joint resolution was adopted authorizing the President to take measures for facilitating a proper representation of the industrial interests of the United States at the exhibition of the industry of all nations to be holden at London in the year 1862. I regret to say I have been unable to give personal attention to this subject—a subject at once so interesting in itself, and so extensively and intimately connected with the material prosperity of the world. Through the Secretaries of State and of the Interior a plan, or system, has been devised, and partly matured, and which will be laid before you.

Under and by virtue of the act of Congress entitled “An act to confiscate property used for insurrectionary purposes,” approved August 6, 1861, the legal claims of certain persons to the labor and service of certain other persons have become forfeited; and numbers of the latter, thus liberated, are already dependent on the United States, and must be provided for in some way. Besides this, it is not impossible that some of the States will pass similar enactments for their own benefit respectively, and by operation of which, persons of the same class will be thrown upon them for disposal. In such case I recommend that Congress provide for accepting such persons from such States, according to some mode of valuation, in lieu, *pro tanto*, of direct taxes, or upon some other plan to be agreed on with

such States respectively ; that such persons, on such acceptance by the general government, be at once deemed free ; and that, in any event, steps be taken for colonizing both classes, (or the one first mentioned, if the other shall not be brought into existence,) at some place, or places, in a climate congenial to them. It might be well to consider, too, whether the free colored people already in the United States could not, so far as individuals may desire, be included in such colonization.

To carry out the plan of colonization may involve the acquiring of territory, and also the appropriation of money beyond that to be expended in the territorial acquisition. Having practiced the acquisition of territory for nearly sixty years, the question of constitutional power to do so is no longer an open one with us. The power was questioned at first by Mr. Jefferson, who, however, in the purchase of Louisiana, yielded his scruples on the plea of great expediency. If it be said that the only legitimate object of acquiring territory is to furnish homes for white men, this measure effects that object ; for the emigration of colored men leaves additional room for white men remaining or coming here. Mr. Jefferson, however, placed the importance of procuring Louisiana more on political and commercial grounds than on providing room for population.

On this whole proposition, including the appropriation of money with the acquisition of territory, does not the expediency amount to absolute necessity—that, without which the government itself cannot be perpetuated ?

The war continues. In considering the policy to be adopted for suppressing the insurrection, I have been anxious and careful that the inevitable conflict for this purpose shall not degenerate into a violent and remorseless revolutionary struggle. I have, therefore, in every case, thought it proper to keep the integrity of the Union prominent as the primary object of the contest on our part, leaving all questions which are not of vital military importance to the more deliberate action of the legislature.

In the exercise of my best discretion I have adhered to the blockade of the ports held by the insurgents, instead of putting in force, by proclamation, the law of Congress enacted at the late session for closing those ports.

So, also, obeying the dictates of prudence, as well as the obligations of law, instead of transcending, I have adhered to the act of

Congress to confiscate property used for insurrectionary purposes. If a new law upon the same subject shall be proposed, its propriety will be duly considered. The Union must be preserved; and hence, all indispensable means must be employed. We should not be in haste to determine that radical, and extreme measures, which may reach the loyal as well as the disloyal, are indispensable.

The inaugural address at the beginning of the Administration, and the message to Congress at the late special session, were both mainly devoted to the domestic controversy out of which the insurrection and consequent war have sprung. Nothing now occurs to add or subtract, to or from, the principles, or general purposes, stated and expressed, in those documents.

The last ray of hope for preserving the Union peaceably, expired at the assault upon Fort Sumter; and a general review of what has occurred since may not be unprofitable. What was painfully uncertain then, is much better defined and more distinct now; and the progress of events is plainly in the right direction. The insurgents confidently claimed a strong support from north of Mason and Dixon's line; and the friends of the Union were not free from apprehension on the point. This, however, was soon settled definitely, and on the right side. South of the line, noble little Delaware led off right from the first. Maryland was made to *seem* against the Union. Our soldiers were assaulted, bridges were burned, and railroads torn up, within her limits; and we were many days, at one time, without the ability to bring a single regiment over her soil to the capital. Now, her bridges and railroads are repaired and open to the government; she already gives seven regiments to the cause of the Union and none to the enemy; and her people, at a regular election, have sustained the Union, by a larger majority, and a larger aggregate vote than they ever before gave to any candidate, or any question. Kentucky, too, for some time in doubt, is now decidedly, and, I think, unchangeably, ranged on the side of the Union. Missouri is comparatively quiet; and I believe cannot again be overrun by the insurrectionists. These three States of Maryland, Kentucky, and Missouri, neither of which would promise a single soldier at first, have now an aggregate of not less than forty thousand in the field, for the Union; while, of their citizens, certainly not more than a third of that number, and they of doubtful whereabouts, and doubtful existence, are in arms against it. After a somewhat

bloody struggle of months, winter closes on the Union people of western Virginia, leaving them masters of their own country.

An insurgent force of about fifteen hundred, for months dominating the narrow peninsular region, constituting the counties of Accomac and Northampton, and known as eastern shore of Virginia, together with some contiguous parts of Maryland, have laid down their arms; and the people there have renewed their allegiance to, and accepted the protection of, the old flag. This leaves no armed insurrectionist north of the Potomac, or east of the Chesapeake.

Also we have obtained a footing at each of the isolated points, on the southern coast, of Hatteras, Port Royal, Tybee Island, near Savannah, and Ship island; and we likewise have some general accounts of popular movements, in behalf of the Union, in North Carolina and Tennessee.

These things demonstrate that the cause of the Union is advancing steadily and certainly southward.

Since your last adjournment, Lieutenant General Scott has retired from the head of the army. During his long life, the nation has not been unmindful of his merit; yet, on calling to mind how faithfully, ably, and brilliantly he has served the country, from a time far back in our history, when few of the now living had been born, and thenceforward continually, I cannot but think we are still his debtors. I submit, therefore, for your consideration, what further mark of recognition is due to him, and to ourselves, as a grateful people.

With the retirement of General Scott came the executive duty of appointing, in his stead, a general-in-chief of the army. It is a fortunate circumstance that neither in council nor country was there, so far as I know, any difference of opinion as to the proper person to be selected. The retiring chief repeatedly expressed his judgment in favor of General McClellan for the position; and in this the nation seemed to give a unanimous concurrence. The designation of General McClellan is, therefore, in considerable degree, the selection of the country, as well as of the Executive; and hence there is better reason to hope there will be given him, the confidence, and cordial support thus, by fair implication, promised, and without which, he cannot, with so full efficiency, serve the country.

It has been said that one bad general is better than two good ones; and the saying is true, if taken to mean no more than that an army

is better directed by a single mind, though inferior, than by two superior ones, at variance, and cross-purposes with each other.

And the same is true, in all joint operations wherein those engaged, *can* have none but a common end in view, and *can* differ only as to the choice of means. In a storm at sea, no one on board *can* wish the ship to sink; and yet, not unfrequently, all go down together, because too many will direct, and no single mind can be allowed to control.

It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principle of popular government—the rights of the people. Conclusive evidence of this is found in the most grave and maturely considered public documents, as well as in the general tone of the insurgents. In those documents we find the abridgment of the existing right of suffrage, and the denial to the people of all right to participate in the selection of public officers, except the legislative, boldly advocated, with labored arguments to prove that large control of the people in government, is the source of all political evil. Monarchy itself is sometimes hinted at as a possible refuge from the power of the people.

In my present position, I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism.

It is not needed, nor fitting here, that a general argument should be made in favor of popular institutions; but there is one point, with its connexions, not so hackneyed as most others, to which I ask a brief attention. It is the effort to place *capital* on an equal footing with, if not above *labor*, in the structure of government. It is assumed that labor is available only in connexion with capital; that nobody labors unless somebody else, owning capital, somehow by the use of it, induces him to labor. This assumed, it is next considered whether it is best that capital shall *hire* laborers, and thus induce them to work by their own consent, or *buy* them, and drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either *hired* laborers, or what we call slaves. And further, it is assumed that whoever is once a hired laborer, is fixed in that condition for life.

Now, there is no such relation between capital and labor as assumed; nor is there any such thing as a free man being fixed for

life in the condition of a hired laborer. Both these assumptions are false, and all inferences from them are groundless.

Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital, producing mutual benefits. The error is in assuming that the whole labor of community exists within that relation. A few men own capital, and that few avoid labor themselves, and, with their capital, hire or buy another few to labor for them. A large majority belong to neither class—neither work for others, nor have others working for them. In most of the southern States, a majority of the whole people of all colors, are neither slaves nor masters; while in the northern, a large majority are neither hirers nor hired. Men with their families—wives, sons, and daughters—work for themselves, on their farms, in their houses, and in their shops, taking the whole product to themselves, and asking no favors of capital on the one hand, nor of hired laborers or slaves on the other. It is not forgotten that a considerable number of persons mingle their own labor with capital—that is, they labor with their own hands, and also buy or hire others to labor for them; but this is only a mixed, and not a distinct class. No principle stated is disturbed by the existence of this mixed class.

Again: as has already been said, there is not, of necessity, any such thing as the free hired laborer being fixed to that condition for life. Many independent men everywhere in these States, a few years back in their lives, were hired laborers. The prudent, penniless beginner in the world, labors for wages awhile, saves a surplus with which to buy tools or land for himself; then labors on his own account another while, and at length hires another new beginner to help him. This is the just, and generous, and prosperous system, which opens the way to all—gives hope to all, and consequent energy, and progress, and improvement of condition to all. No men living are more worthy to be trusted than those who toil up from poverty—none less inclined to take, or touch, aught which they have not honestly earned. Let them beware of surrendering a political power which

they already possess, and which, if surrendered, will surely be used to close the door of advancement against such as they, and to fix new disabilities and burdens upon them, till all of liberty shall be lost.

From the first taking of our National Census to the last, are seventy years; and we find our population, at the end of the period, eight times as great as it was at the beginning. The increase of those other things, which men deem desirable, has been even greater. We thus have, at one view, what the popular principle, applied to government, through the machinery of the States and the Union, has produced in a given time; and also what, if firmly maintained, it promises for the future. There are already among us those who, if the Union be preserved, will live to see it contain two hundred and fifty millions. The struggle of to-day is not altogether *for to-day*—it is for a vast future also. With a reliance on Providence, all the more firm and earnest, let us proceed in the great task which events have devolved upon us.

ABRAHAM LINCOLN.

WASHINGTON, *December 3, 1861.*

Schedule A.

EXECUTIVE MANSION,
Washington, D. C., 1861.

Rev. _____.

SIR: Having been solicited by Christian ministers, and other pious people, to appoint suitable persons to act as chaplains at the hospitals for our sick and wounded soldiers, and feeling the intrinsic propriety of having such persons to so act, and yet believing there is no law conferring the power upon me to appoint them, I think fit to say that if you will voluntarily enter upon and perform the appropriate duties of such position, I will recommend that Congress make compensation therefor at the same rate as chaplains in the army are compensated.

The following are the names and dates, respectively, of the persons and times to whom and when such letters were delivered:

Rev. G. G. Goss.....	September 25, 1861.
Rev. John G. Butler.....	September 25, 1861.
Rev. Henry Hopkins.....	September 25, 1861.
Rev. F. M. Magrath.....	October 30, 1861.
Rev. F. E. Boyle.....	October 30, 1861.
Rev. John C. Smith.....	November 7, 1861.
Rev. Wm. Y. Brown.....	November 7, 1861.

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CORRESPONDENCE.

Mr. Black (Secretary of State) to all the ministers of the United States.

CIRCULAR.

DEPARTMENT OF STATE,
Washington, February 28, 1861.

SIR: You are, of course, aware that the election of last November resulted in the choice of Mr. Abraham Lincoln; that he was the candidate of the republican or anti-slavery party; that the preceding discussion had been confined almost entirely to topics connected, directly or indirectly, with the subject of negro slavery; that every northern State cast its whole electoral vote (except three in New Jersey) for Mr. Lincoln, while in the whole south the popular sentiment against him was almost absolutely universal. Some of the southern States, immediately after the election, took measures for separating themselves from the Union, and others soon followed their example. Conventions have been called in South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, and those conventions, in all except the last-named State, have passed ordinances declaring their secession from the federal government. A congress, composed of representatives from the six first-named States, has been assembled for some time at Montgomery, Alabama. By this body a provisional constitution has been framed for what it styles the "Confederated States of America."

It is not improbable that persons claiming to represent the States which have thus attempted to throw off their federal obligations will seek a recognition of their independence by the Emperor of Russia. In the event of such an effort being made, you are expected by the President to use such means as may in your judgment be proper and necessary to prevent its success.

The reasons set forth in the President's message at the opening of the present session of Congress, in support of his opinion that the States have no constitutional power to secede from the Union, are still unanswered, and are believed to be unanswerable. The grounds upon which they have attempted to justify the revolutionary act of severing the bonds which connect them with their sister States are regarded as wholly insufficient. This government has not relinquished its constitutional jurisdiction within the territory of those States, and does not desire to do so.

It must be very evident that it is the right of this government to ask of all foreign powers that the latter shall take no steps which may tend to encourage the revolutionary movement of the seceding States, or increase the danger of disaffection in those which still remain loyal. The President feels assured that the government of the Emperor will not do anything in these affairs inconsistent with the friendship which this government has always heretofore experienced from him and his ancestors. If the independence of the "Confederated States" should be acknowledged by the great powers of Europe it would tend to disturb the friendly relations, diplomatic and commercial, now existing between those powers and the United

States. All these are consequences which the court of the Emperor will not fail to see are adverse to the interests of Russia as well as to those of this country:

Your particular knowledge of our political institutions will enable you to explain satisfactorily the causes of our present domestic troubles, and the grounds of the hope still entertained that entire harmony will soon be restored.

I am, sir, respectfully, your obedient servant,

J. S. BLACK.

JOHN APPLETON, Esq., &c., &c., &c.

The same, *mutatis mutandis*, to W. PRESTON, Esq., Madrid; E. G. FAIR, Esq., Brussels; THEO. S. FAY, Esq., Berne; JOS. A. WRIGHT, Esq., Berlin; J. G. JONES, Esq., Vienna; J. WILLIAMS, Esq., Constantinople; GEO. M. DALLAS, Esq., London; CHAS. J. FAULKNER, Esq., Paris; HENRY C. MURPHY, Esq., Hague.

Mr. Seward (Secretary of State) to all the ministers of the United States.

CIRCULAR.

DEPARTMENT OF STATE,
Washington, March 9, 1861.

SIR: My predecessor, in his despatch, number 10, addressed to you on the 28th of February last, instructed you to use all proper and necessary measures to prevent the success of efforts which may be made by persons claiming to represent those States of this Union in whose name a provisional government has been announced to procure a recognition of their independence by the government of Spain.

I am now instructed by the President of the United States to inform you that, having assumed the administration of the government in pursuance of an unquestioned election and of the directions of the Constitution, he renews the injunction which I have mentioned, and relies upon the exercise of the greatest possible diligence and fidelity on your part to counteract and prevent the designs of those who would invoke foreign intervention to embarrass or overthrow the republic.

When you reflect on the novelty of such designs, their unpatriotic and revolutionary character, and the long train of evils which must follow directly or consequentially from even their partial or temporary success, the President feels assured that you will justly appreciate and cordially approve the caution which prompts this communication.

I transmit herewith a copy of the address pronounced by the President on taking the constitutional oath of office. It sets forth clearly the errors of the misguided partisans who are seeking to dismember the Union, the grounds on which the conduct of those partisans is disallowed, and also the general policy which the government will pursue with a view to the preservation of domestic peace and order, and the maintenance and preservation of the federal Union.

You will lose no time in submitting this address to the Spanish minister for foreign affairs, and in assuring him that the President of the United States entertains a full confidence in the speedy restoration of the harmony and unity of the government by a firm, yet just and liberal bearing, co-operating with the deliberate and loyal action of the American people.

You will truthfully urge upon the Spanish government the consideration

that the present disturbances have had their origin only in popular passions, excited under novel circumstances of very transient character, and that while not one person of well-balanced mind has attempted to show that dismemberment of the Union would be permanently conducive to the safety and welfare of even his own State or section, much less of all the States and sections of our country, the people themselves still retain and cherish a profound confidence in our happy Constitution, together with a veneration and affection for it such as no other form of government ever received at the hands of those for whom it was established.

We feel free to assume that it is the general conviction of men, not only here but in all other countries, that this federal Union affords a better system than any other that could be contrived to assure the safety, the peace, the prosperity, the welfare, and the happiness of all the States of which it is composed. The position of these States, and their mining, agricultural, manufacturing, commercial, political, and social relations and influences, seem to make it permanently the interest of all other nations that our present political system shall be unchanged and undisturbed. Any advantage that any foreign nation might derive from a connexion that it might form with any dissatisfied or discontented portion, State, or section, even if not altogether illusory, would be ephemeral, and would be overbalanced by the evils it would suffer from a disseverance of the whole Union, whose manifest policy it must be hereafter, as it has always been heretofore, to maintain peace, liberal commerce, and cordial amity with all other nations, and to favor the establishment of well-ordered government over the whole American continent.

Nor do we think we exaggerate our national importance when we claim that any political disaster that should befall us, and introduce discord or anarchy among the States that have so long constituted one great pacific, prosperous nation, under a form of government which has approved itself to the respect and confidence of mankind, might tend by its influence to disturb and unsettle the existing systems of government in other parts of the world, and arrest that progress of improvement and civilization which marks the era in which we live.

The United States have had too many assurances and manifestations of the friendship and good will of her Catholic Majesty to entertain any doubt that these considerations, and such others as your own large experience of the working of our federal system will suggest, will have their just influence with her, and will prevent her Majesty's government from yielding to solicitations to intervene in any unfriendly way in the domestic concerns of our country. The President regrets that the events going on here may be productive of some possible inconvenience to the people and subjects of Spain; but he is determined that those inconveniences shall be made as light and as transient as possible, and, so far as it may rest with him, that all strangers who may suffer any injury from them shall be amply indemnified. The President expects that you will be prompt in transmitting to this department any information you may receive on the subject of the attempts which have suggested this communication.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

W. PRESTON, Esq., *Madrid*.

The same, *mutatis mutandis*, to E. G. FAIR, Esq., Brussels; THEO. S. FAY, Esq., Berne; JOS. A. WRIGHT, Esq., Berlin; J. G. JONES, Esq., Vienna; J. WILLIAMS, Esq., Constantinople; GEO. M. DALLAS, Esq., London; CHAS. J. FAULKNER, Esq., Paris; JOHN APPLETON, Esq., St. Petersburg; HENRY C. MURPHY, Esq., Hague.

Mr. Seward to ministers of the United States in Great Britain, France, Russia, Prussia, Austria, Belgium, Italy, and Denmark.

CIRCULAR.

DEPARTMENT OF STATE,
Washington, April 24, 1861.

SIR: The advocates of benevolence and the believers in human progress, encouraged by the slow though marked meliorations of the barbarities of war which have obtained in modern times, have been, as you are well aware, recently engaged with much assiduity in endeavoring to effect some modifications of the law of nations in regard to the rights of neutrals in maritime war. In the spirit of these movements the President of the United States, in the year 1854, submitted to the several maritime nations two propositions, to which he solicited their assent as permanent principles of international law, which were as follows:

1. Free ships make free goods; that is to say, that the effects or goods belonging to subjects or citizens of a power or State at war are free from capture or confiscation when found on board of neutral vessels, with the exception of articles contraband of war.

2. That the property of neutrals on board an enemy's vessel is not subject to confiscation unless the same be contraband of war.

Several of the governments to which these propositions were submitted expressed their willingness to accept them, while some others, which were in a state of war, intimated a desire to defer acting thereon until the return of peace should present what they thought would be a more auspicious season for such interesting negotiations.

On the 16th of April, 1856, a congress was in session at Paris. It consisted of several maritime powers, represented by their plenipotentiaries, namely, Great Britain, Austria, France, Russia, Prussia, Sardinia, and Turkey. That congress having taken up the general subject to which allusion has already been made in this letter, on the day before mentioned, came to an agreement, which they adopted in the form of a declaration, to the effect following, namely:

1. Privateering is and remains abolished.

2. The neutral flag covers enemy's goods, with the exception of contraband of war.

3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4. Blockades, in order to be binding, must be effective; that is to say, maintained by forces sufficient really to prevent access to the coast of the enemy.

The agreement pledged the parties constituting the congress to bring the declaration thus made to the knowledge of the States which had not been represented in that body, and to invite them to accede to it. The congress, however, at the same time insisted, in the first place, that the declaration should be binding only on the powers who were or should become parties to it as one whole and indivisible compact; and, secondly, that the parties who had agreed, and those who should afterwards accede to it, should, after the adoption of the same, enter into no arrangement on the application of maritime law in time of war without stipulating for a strict observance of the four points resolved by the declaration.

The declaration which I have thus substantially recited of course prevented all the powers which became parties to it from accepting the two propositions which had been before submitted to the maritime nations by the President of the United States.

The declaration was, in due time, submitted by the governments represented in the congress at Paris to the government of the United States.

The President, about the 14th of July, 1856, made known to the States concerned his unwillingness to accede to the declaration. In making that announcement on behalf of this government, my predecessor, Mr. Marcy, called the attention of those States to the following points, namely:

1st. That the second and third propositions contained in the Paris declaration are substantially the same with the two propositions which had before been submitted to the maritime States by the President.

2d. That the Paris declaration, with the conditions annexed, was inadmissible by the United States in three respects, namely: 1st. That the government of the United States could not give its assent to the first proposition contained in the declaration, namely, that "Privateering is and remains abolished," although it was willing to accept it with an amendment which should exempt the private property of individuals, though belonging to belligerent States, from seizure or confiscation by national vessels in maritime war. 2d. That for this reason the stipulation annexed to the declaration, viz: that the propositions must be taken altogether or rejected altogether, without modification, could not be allowed. 3d. That the fourth condition annexed to the declaration, which provided that the parties acceding to it should enter into no negotiation for any modifications of the law of maritime war with nations which should not contain the four points contained in the Paris declaration, seemed inconsistent with a proper regard to the national sovereignty of the United States.

On the 29th of July, 1856, Mr. Mason, then minister of the United States at Paris, was instructed by the President to propose to the government of France to enter into an arrangement for its adherence, with the United States, to the four principles of the declaration of the congress of Paris, provided the first of them should be amended as specified in Mr. Marcy's note to the Count de Sartiges on the 28th of July, 1856. Mr. Mason accordingly brought the subject to the notice of the imperial government of France, which was disposed to entertain the matter favorably, but which failed to communicate its decision on the subject to him. Similar instructions regarding the matter were addressed by this department to Mr. Dallas, our minister at London, on the 31st day of January, 1857; but the proposition above referred to had not been directly presented to the British government by him when the administration of this government by Franklin Pierce, during whose term these proceedings occurred, came to an end, on the 3d of March, 1857, and was succeeded by that of James Buchanan, who directed the negotiations to be arrested for the purpose of enabling him to examine the questions involved, and they have ever since remained in that state of suspension.

The President of the United States has now taken the subject into consideration, and he is prepared to communicate his views upon it, with a disposition to bring the negotiation to a speedy and satisfactory conclusion.

For that purpose you are hereby instructed to seek an early opportunity to call the attention of her Majesty's government to the subject, and to ascertain whether it is disposed to enter into negotiations for the accession of the government of the United States to the declaration of the Paris congress, with the conditions annexed by that body to the same; and if you shall find that government so disposed, you will then enter into a convention to that effect, substantially in the form of a project for that purpose herewith transmitted to you; the convention to take effect from the time when the due ratifications of the same shall have been exchanged. It is presumed that you will need no special explanation of the sentiments of the President on this subject for the purpose of conducting the necessary conferences with the government to which you are accredited. Its assent is expected on the ground that the proposition is accepted at its suggestion, and in the form it has

preferred. For your own information it will be sufficient to say that the President adheres to the opinion expressed by my predecessor, Mr. Marcy, that it would be eminently desirable for the good of all nations that the property and effects of private individuals, not contraband, should be exempt from seizure and confiscation by national vessels in maritime war. If the time and circumstances were propitious to a prosecution of the negotiation with that object in view, he would direct that it should be assiduously pursued. But the right season seems to have passed, at least for the present. Europe seems once more on the verge of quite general wars. On the other hand, a portion of the American people have raised the standard of insurrection, and proclaimed a provisional government, and, through their organs, have taken the bad resolution to invite privateers to prey upon the peaceful commerce of the United States.

Prudence and humanity combine in persuading the President, under the circumstances, that it is wise to secure the lesser good offered by the Paris congress, without waiting indefinitely in hope to obtain the greater one offered to the maritime nations by the President of the United States.

I am, sir, respectfully, your obedient servant.

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

The same, *mutatis mutandis*, to the ministers of the United States in France, Russia, Prussia, Austria, Belgium, Italy, and Denmark.

Convention upon the subject of the rights of belligerents and neutrals in time of war, between the United States of America and her Majesty the Queen of Great Britain and Ireland.

The United States of America and her Majesty the Queen of Great Britain and Ireland, being equally animated by a desire to define with more precision the rights of belligerent and neutrals in time of war, have, for that purpose, conferred full powers, the President of the United States upon Charles F. Adams, accredited as their envoy extraordinary and minister plenipotentiary to her said Majesty, and her Majesty the Queen of Great Britain and Ireland, upon

And the said plenipotentiaries, after having exchanged their full powers, have concluded the following articles :

ARTICLE I.

1. Privateering is and remains abolished. 2. The neutral flag covers enemy's goods, with the exception of contraband of war. 3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag. 4. Blockades in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

ARTICLE II.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate, and by her Majesty the Queen of Great Britain and Ireland, and the ratifications shall be exchanged at Washington, within the space of six months from the signature, or sooner if possible. In faith whereof, the respective plenipotentiaries have signed the present convention in duplicate, and have thereto affixed their seals.

Done at London, the day of , in the year of our Lord, one thousand eight hundred and sixty-one (1861.)

PRUSSIA.

Mr. Seward to Mr. Judd.

[Extract.]

No. 1.]

DEPARTMENT OF STATE,
Washington, March 22, 1861.

SIR: Contrary to what usually happens in giving instructions to a minister going abroad, I am directed by the President to ask you to fix your attention in the first instance, and to keep it constantly fixed, on the actual condition of affairs at home. I allude, of course, to the unlawful and unconstitutional attempt which is being made to detach several of the States from the federal Union, and to organize them as an independent republic under the name of the "Confederate States of America."

You are well aware of what you will find Europeans unable to understand, namely, that owing to the very peculiar structure of our federal government, and the equally singular character and habits of the American people, this government not only wisely but necessarily hesitates to resort to coercion and compulsion to secure a return of the disaffected portion of the people to their customary allegiance. The Union was formed upon popular consent and must always practically stand on the same basis. The temporary causes of alienation must pass away; there must needs be disasters and disappointments resulting from the exercise of unlawful authority by the revolutionists, while happily it is certain that there is a general and profound sentiment of loyalty pervading the public mind throughout the United States. While it is the intention of the President to maintain the sovereignty and rightful authority of the Union everywhere with firmness as well as discretion, he at the same time relies with great confidence on the salutary working of the agencies I have mentioned, to restore the harmony and Union of the States. But to this end it is of the greatest importance that the disaffected States shall not succeed in obtaining favor or recognition from foreign nations.

It is understood that the so-called Confederate States of America have sent, or are about to send, agents to solicit such recognition in Europe, although there is no special reason for supposing Prussia to be one of the nations to which application will be made. An almost electric political connexion, however, exists between the several capitals of western Europe, and therefore your most efficient and unfailing efforts must be put forth directly, and even indirectly, to prevent the success of that ill-starred design.

This matter was deemed so important by the late administration that my predecessor, on the 28th of February last, made it a subject of a circular despatch, of which an original part was transmitted by him to Mr. Wright, who proceeded you in your mission.

The present administration entertain the same general view of the subject which in that despatch was taken by Mr. Buchanan. Accordingly, on the 9th day of March instant, I sent to our representatives abroad a new circular letter in which I reiterated and amplified the instructions which

had thus been given to them by Mr. Black. Although that circular will be found in the archives of your legation, yet for your greater convenience I append a copy of it to this communication.

This department has little more to add to that paper when it is read, as it ought to be, in connexion with the President's inaugural address, on which it rests for its basis.

It may, however, be well to call your attention to the fact that in that communication, as in this, I have forbore altogether from discussing the groundless complaints and pretexts which have been put forth by the organs of disunion to justify the rash and perilous revolution which they are attempting to inaugurate. I have practiced this reticence not because the point is unimportant, but because the dispute is purely a domestic one, and the President would not willingly have the archives of our legations bear testimony to so un-American a proceeding as an acknowledgment, even by indirection, that this government ever consented to join issue upon a purely family matter of this kind with a portion of our own citizens before a foreign tribunal. Nevertheless, should you find that any weight is given to those complaints and pretexts in the court to which you are accredited, your perfect knowledge of all the transactions involved, will, I am sure, enable you to meet them conclusively and satisfactorily without precise instructions on that point.

You will not take up any subject of controversy or debate that may arise between the governments of Prussia and the United States, without first communicating the matter to this department, and you will practice the same forbearance on any subject of controversy which your predecessor may have left for your attention. These instructions are given you because it is our first and most earnest desire and expectation that you will avoid all possible forms of offence or irritation, and will, on the other hand, endeavor to establish the most friendly and cordial relations with the government of the King of Prussia. With this view you will assure his Majesty that the President and people of the United States entertain sentiments of the highest respect and sincere good will for his Majesty and the people of Prussia.

* * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

NORMAN B. JUDD, Esq, &c., &c., &c.

Mr. Wright to Mr. Seward.

[Extract.]

No. 173.]

UNITED STATES LEGATION,
Berlin, May 8, 1861.

SIR: I have, since my return, had a long interview with Baron Von Schleinitz, the minister for foreign affairs, who, whilst he expressed the earnest sympathy of his government with the American people in their present troubles, not only because of the effect of such disturbances upon the commerce of Europe, but also on account of the intimate relations between the two countries, owing to the presence of a large German population in the United States, gave me the most positive assurance that his government, from the principle of unrelenting opposition to all revolutionary

movements, would be one of the last to recognize any *de facto* government of the disaffected States of the American Union.

The news of to-day has exerted the most unhappy influence upon the Americans here, and the universal sentiment is a profound desire and a hope for the restoration of peace in the United States. * * *

I have the honor to be, most respectfully, your very obedient servant,
JOSEPH A. WRIGHT.

His Excellency Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extract.]

No. 174.]

UNITED STATES LEGATION,
Berlin, May 15, 1861.

SIR:

The proclamation of the President was received by the previous mail, and the subject has received due consideration.

On receipt of your circular dated the 20th of April, I immediately called upon Baron de Schleinitz, minister of foreign affairs, who had received the proclamation of the President, and he at once promptly informed me that, in his opinion, no apprehension need be entertained as to Prussian subjects engaging under the authority of the so-called Confederate States in fitting out privateers, or in any manner interfering with our commerce. Prussia has but few ports. Hers is not a sea-faring people, and the sympathies of the government and of the people are with the United States. Whatever danger may be apprehended on this subject must come from Bremen, Hamburg, and other ports situated in Oldenburg, Hanover, &c. Due vigilance will be used to prevent any such unlawful interference, and if any such be detected the proper authorities will be promptly advised thereof, and every effort will be made to suppress it. Not knowing whether your circular has been sent to the consuls, I have forwarded copies to several already. * * *

I have the honor to be, very respectfully, your obedient servant,
JOSEPH A. WRIGHT.

His Excellency Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extract.]

No. 175.]

UNITED STATES LEGATION,
Berlin, May 26, 1861.

SIR:

Enclosed is a copy of a recent communication to the minister of foreign affairs. Prussia will take efficient steps to sustain the government of the

United States in the protection of property and commerce, and will do all she can, consistently with her obligations to other governments, to sustain the vigorous action of our government in maintaining law and order.

The minister of foreign affairs, Baron Von Schleinitz, informed me on yesterday that it was the intention of the government to issue a proclamation touching these questions.

The government and people are, in spirit and feeling, with us. I am in the receipt of hundreds of letters and personal calls seeking positions in the American army, and asking for means of conveyance to our shores. So numerous, indeed, are the applications, that I have been compelled to place on the doors of the legation a notice to the purport that "This is the legation of the United States, and not a recruiting office." The fidelity and firmness exhibited with such unanimity by our own people in sustaining the administration in their efforts to put down the outrages of the so-called "Confederate States," whilst it astonishes the people of the old world, is at the same time rapidly creating a sentiment of confidence in our ability to maintain unimpaired the institutions of our fathers.

Let the cost be what it may, we must vindicate the memory of our fathers from the slanders announced by those in high places in the so-called "Confederate States," wherein they have proclaimed ours is only a confederation of States, and not a national union.

* * * * *

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

His Excellency Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extracts.]

No. 176.]

UNITED STATES LEGATION,
Berlin, June 8, 1861.

SIR: Although the Prussian government has not issued a proclamation upon the subject referred to in my last despatch, I still continue to receive from the minister of foreign affairs the strongest assurances of the sympathies and friendship of this government.

* * * * *

Your circular of the 6th of May has been received, but the subject had been duly considered previously thereto. No opportunity will be neglected to counteract any efforts that may be made by individuals or associations in negotiations hostile to the United States.

* * * * *

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extract.]

No. 178.]

UNITED STATES LEGATION,
Berlin, June 25, 1861.

SIR:

* * * * *

I have received this moment a copy of the *National Zeitung*, containing the despatch of Baron Schleinitz to Baron Gerolt; and also an order from the minister of commerce, addressed to Prussian subjects engaged in trade and commerce. This is not what I had expected. I was anticipating a proclamation from the King more full and distinct. This will doubtless have the desired effect, as it will be published in all the German journals, and coming from Prussia will be duly respected by the German States and Free Cities. Their sympathy and spirit is with the United States government.

Mr. Judd is expected on the 27th instant.

I have the honor to be, very respectfully, your obedient servant,
JOSEPH A. WRIGHT.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington City.

Baron Schleinitz to Baron Gerolt.

[Translation.]

BERLIN, June 13, 1861.

The various herewith enclosed statements, by which your excellency has given me a knowledge of the occurrences through which the internal tranquillity of the Union is disturbed, have called forth my serious consideration. The hope which, until now, we so willingly entertained, that the inchoate conflict between the government of the United States and sundry of the southern States of the Union would be brought to an amicable settlement, is now, unhappily, in view of existing conditions, borne back to a far distance.

The indubitable fact of the state of the intestine warfare in which the Union is placed is a source of deep regret to the King's government. The relations of close friendship which connect Prussia and the government of the United States exist from the foundation of the Union. They have endured nearly a hundred years; never at any time disturbed by change of circumstances, nor in any wise impaired.

By a series of treaties, by means of which the improvement of the interests of manufacture and commerce on either side has been eminently developed, the intimate relations between the two States have attained a prosperous durability. At no time, between these two powers, has any collision of antagonistic interests found a foothold. The soaring flight which the internal prosperity of the Union has taken, extending its range from year to year by means of the bond of unity of the States thus knit together, the commanding attitude which North America has attained, abroad, has been looked upon by Prussia not merely with no dissatisfaction but has rather been greeted by her with honest sympathy.

The more earnestly, then, do we regret that the continuance of so prosperous a condition of things should appear to be placed in question by the

inchoate disturbance of that internal unity, the unshaken existence of which had, until this time, formed the surest foundation of the Union. It behooves not the royal government either to discuss the causes of existing controversies or to pass judgment upon those debatable questions which belong entirely to the domestic relations of the Union. Our whole endeavor in this matter must be addressed to sustaining the United States in their heretofore existing relations with us, even under the difficult circumstances of the present time.

Nevertheless, by the serious turn which the conflict that has broken out has already taken, and by the consequent self-reliant mode of proceeding of the government of the United States in relation to blockades, and the treatment of neutral navigation, essential and important interests on this side are also affected, and the royal government has taken into earnest consideration the protection thereof on grounds of international law and in conformity with treaty stipulations.

Your excellency has full knowledge of the negotiations which, through a series of years, were carried on between Prussia and the United States, upon the principles which ought to be brought into application in naval warfare in relation to the rights of neutral shipping. It is to the credit of the North American Cabinet that, in the year 1854, it availed itself of the plan of a treaty, proposed with us, to be first to take the initiative for putting the rights above mentioned in liberal and practical shape upon a broader foundation of well settled principles. We then willingly acceded to the North American proposition, and although the negotiations conducted by your excellency were closed without attaining the desired result, because a stand was then taken against that abolition of privateering which was suggested by us, it has, meantime, nevertheless, so fallen out that the general united desire to establish the recognition of the rights of neutral shipping during maritime warfare upon more extended and unassailable foundations has attracted, in praiseworthy degree, the attention of the great powers of Europe. The declaration upon maritime rights by the Paris convention, on the 16th April, 1856, stands in evidence of this. The collective States of Europe, with the exception of Spain only, gave their adhesion thereto. But the United States of North America, in regard to the first principle concerning the abolition of privateering, to our regret, thought proper to qualify their assent to the Paris declaration, if we do not misapprehend the liberal and well-intentioned views by which that cabinet was guided in the matter. These were made known in the proposition of President Pierce upon the subject, according to which the principle that private property on the seas should be altogether inviolable, should be included among the provisions of the law of nations. It is to be regretted that the President did not succeed in giving effect to his proposition. The estimation with which we regarded his course is sufficiently known to your excellency.

By reason of the consequently prevailing doubts about the treatment to which neutral shipping may be subjected during the condition of things there connected with an incipient state of war, I must request your excellency will please to make this interesting question the subject of a friendly and unreserved conference with the Secretary of State of that country.

It would certainly be most desirable to us that the government of the United States might embrace this occasion to announce their adhesion to the Paris declaration. Should this not be attained, then, for the present, we would urge that an exposition might be made, to be obligatory during the now commencing intestine war, in regard to the application generally of the second and third principles of the Paris declaration to neutral shipping. The provision of the second principle, that the neutral flag covers the

enemy's cargo, (with exception of contraband of war,) is already assured to Prussian shipping by our treaty with the United States of May 1, 1828, again adopting article twelve of the treaty of September 10, 1785.

We lay much stress upon this toward bringing round a determination to make application of this principle at the present time to neutral shipping generally and universally. We doubt this the less because, according to a despatch from the then President, addressed by the Secretary of State, L. Cass, under date of June 27, 1859, to the minister of the United States in Paris, and also communicated to us, without further referring to the Paris declaration, it is expressly mentioned that the principle that the neutral flag covers the enemy's cargo (contraband of war excepted) would be reduced to application in respect to the shipping of the United States always, and in its full extent.

The import of the third principle, by which neutral private property under an enemy's flag (except contraband of war) is inviolable, becomes, in respect of its immediate recognition by the United States, a stringent necessity to the neutral powers.

Let there be a doubt of the application of this principle, and the business enterprises of neutral States are exposed to inevitable shocks, and collisions of every conceivable kind are to be dreaded. To provide for the avoidance of these in due season, we must at least anxiously desire.

It would minister greatly to my satisfaction if your excellency, as soon as may be, could officially inform me that the overtures and propositions which you are commissioned to make to the administration have found a favorable reception.

SCHLEINITZ.

His Excellency BARON VON GEROLT, &c., &c., &c., Washington.

[Translation.]

On the same subject the minister of commerce issued the notification annexed to the mercantile classes in the Baltic ports:

It is my duty to make known to you that during the continuance of the conflict which has broken out among the North American States the mercantile classes must abstain from all enterprises which are forbidden by the general principles of international law, and especially by the ordinance of the 12th of June, 1856, which has relation to the declaration of the 12th of April, 1856, upon the principles of maritime law. Moreover, I will not omit to make it especially noticeable by you that the royal government will not permit to its shipping or its subjects, which may mix up in these conflicts by taking letters of marque, sharing in privateering enterprises, carrying merchandise contraband of war, or forwarding despatches, to have the benefit of its protection against any losses which may befall them through such transactions.

The equipment of privateers in the ports of this country is forbidden by the laws of the land, as is known to the mercantile community.

Mr. Seward to Baron Gerolt.

DEPARTMENT OF STATE,
Washington, July 16, 1861.

The undersigned, Secretary of State of the United States, has the honor of acknowledging the receipt of a copy of a letter of instruction, under the date of the 13th of June, from Baron Schleinitz, the minister of foreign affairs of his Majesty the King of Prussia, to Baron Gerolt, his Majesty's envoy extraordinary and minister plenipotentiary to the United States, which Baron Gerolt has submitted for perusal to the undersigned.

Baron Gerolt, in pursuance of this instruction, has referred to doubts said to prevail in Europe about the treatment to which neutral shipping may be subjected during the continuance of the internal disturbance now existing in the United States, and has requested from the undersigned an explanation of the views of this government thereupon.

Baron Schleinitz, in this communication, has remarked that it would certainly be most desirable for Prussia that this government should embrace this occasion to announce its adhesion to the celebrated declaration of Paris. But that if this could not be attained, then, for the present, the government of Prussia would urge that an exposition might be made to be obligatory during the present intestine disturbances in the United States, in regard to the application generally of the second and third principles of the Paris declaration to neutral shipping.

The second principle of the Paris declaration is, that the neutral flag covers the enemy's goods, not contraband of war.

The third principle is, that the goods, not contraband of war, of a neutral found on board an enemy's vessel are exempt from confiscation.

The undersigned has the pleasure of informing Baron Gerolt, by authority of the President of the United States, that the government cheerfully declares its assent to these principles in the present case, and to continue until the insurrection which now unhappily exists in the United States shall have come to an end, and they will be fully observed by this government in its relations with Prussia.

But the undersigned would be doing injustice to this government if he should omit to add, by way of explanation, that so long ago as the 24th of April last he transmitted ample instructions and powers to Mr. Judd, the then newly appointed Minister of the United States to Berlin, authorizing him to enter into a treaty (subject to the consent of the Senate of the United States) with the kingdom of Prussia for the adhesion of this government to the declaration of the congress at Paris. Similar instructions and powers were given to all the ministers appointed to conduct diplomatic intercourse with all existing maritime powers. This government in these instructions declared its continued desire and preference for the amendment of the Paris declaration proposed by this government in 1856, to the effect that the private or individual property of non-combatants, whether belonging to belligerent States or not, should be exempted from confiscation in maritime war. But recurring to the previous failure to secure the adoption of that amendment, this government instructed its ministers, if they should find it necessary, to waive it for the present, and to negotiate our adhesion to the declaration pure and simple.

The delay of Mr. Judd in his departure for Berlin is probably the cause why this proposition was not made by him to the Prussian government previous to the date of the instruction given by Baron Schleinitz to Baron Gerolt, which formed the occasion of the present note.

This government having thus practically anticipated the wishes of the Prussian government, the undersigned has, of course, been the more at liberty to accede to those wishes in the more limited extent in which they are expressed by Baron Schleinitz.

The undersigned at the same time holds himself none the less bound to proceed with a view to a more ample and more formal establishment of the benign principles of maritime war in regard to neutral commerce as indicated in the instructions given to Mr. Judd.

Of course the undersigned will be understood as not qualifying or modifying by this communication the right of the United States to close any of the national ports which have already fallen or which may fall into the hands of the insurgents, either directly or in the lenient and equitable form of the blockade which is now in full force.

The undersigned cannot close this communication without expressing to Baron Gerolt the great satisfaction with which this government has learned, through the communication now acknowledged, that his Majesty the King of Prussia faithfully adheres to the existing treaties between the two countries, and fulfils, without question or reservation, all their obligations. This announcement is accompanied by assurances of good feeling and good will that will not fail, under the peculiar circumstances of the times, to make a deep and lasting impression on the government and the people of the United States, and to perpetuate the friendship that for near a century has existed between the two countries to the great advantage and lasting honor of both.

Baron Gerolt may be assured that the government and the people of the United States have deliberately and carefully surveyed the unhappy disturbance of their social condition which has caused so much anxiety to all friendly commercial nations, and have adopted the necessary means for its speedy and complete removal, so that they expect to be able to prosecute their accustomed career of enterprise, and, while fulfilling all the national obligations, to co-operate with enlightened nations engaged, like Prussia, in enlarging and increasing the sway of commerce, and in promoting and advancing the high interests of civilization and humanity.

The undersigned offers to Baron Gerolt renewed assurances of his high consideration.

WILLIAM H. SEWARD.

BARON FR. GEROLT, &c., &c., &c.,
Washington.

Baron Gerolt to Mr. Seward.

[Translation.]

LEGATION OF PRUSSIA,
Washington, July 17, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of his Majesty the King of Prussia, has had the honor to receive the note of the honorable Mr. Seward, Secretary of the United States, in reply to the instructions which Baron de Schleinitz, minister of foreign affairs at Berlin, transmitted to the undersigned to be communicated to the honorable Secretary of State of the United States.

The undersigned cannot but felicitate himself on the declaration made in this note in favor of the treatment of neutrals pending the duration of intestine disturbances in the United States, as well as on the sentiments of friendship and good understanding expressed in the note of the honorable W. H. Seward towards the government of his Majesty, to which the undersigned will hasten to communicate these demonstrations of the government of the United States.

The undersigned seizes this occasion to renew to the honorable W. H. Seward the protestations of his most distinguished consideration.

FR. VON GEROLT.

HON. WILLIAM H. SEWARD,

Secretary of State of the United States, Washington.

Mr. Judd to Mr. Seward.

[Extracts.]

LEGATION OF THE UNITED STATES,
Berlin, July 2, 1861.

SIR: I arrived in Berlin on Thursday, the twenty-seventh ultimo, and was cordially welcomed by my predecessor, Mr. Wright, whose attentions and civilities, together with the information imparted to me in connexion with the mission, have tended very much to make my entry into Berlin and induction into office agreeable and pleasant.

Mr. Wright's position here and his influence, as the representative of our government, with the authorities, has been alike creditable and honorable to himself and useful to the citizens of the United States.

His firm straightforward Americanism has won the respect of, and exerted a decided influence upon, the ruling powers of this kingdom.

On the 28th of June Mr. Wright applied to his excellency Baron Schleinitz, minister of foreign affairs, for an interview, for the purpose of presenting his open letter of recall, and affording me the opportunity of presenting the copy of my letter of credence, and requesting my presentation to his Majesty the King.

The baron named the next day, at three o'clock p. m.; and, in accordance with the appointment, Mr. Wright and myself called upon the minister and presented our respective letters. In reply to my request for an audience, the baron stated that the King was at Potsdam; that he would notify him of our wishes, and advise of his Majesty's pleasure upon the subject.

* * * *

On Monday, the first of July, a note from the minister advised me that the King would receive me in private audience at his palace in Berlin at half past four p. m. of that day.

Mr. Wright and myself attended, in pursuance of the summons, and were presented to his Majesty by Baron Schleinitz.

Mr. Wright presented his letter of recall, and addressed his Majesty some remarks appropriate to the occasion, of which his despatch of to-day will contain an account.

I then presented my letter of credence, and stated to his Majesty that I was instructed by the President to convey to him the President's wishes for his health and happiness, and for the prosperity of his kingdom. That our government desired that the friendly relations so long existing between the two governments might continue and increase with the growing prosperity

of the two nations. That for myself, personally, I hoped that my residence near his Majesty's government might be useful to the citizens of my country, and acceptable to his Majesty. That I should endeavor in my official action to promote and increase the harmony, good will, and friendly feelings that had so long existed between the two nations, and that I presented my own best wishes for the health and happiness of his Majesty.

The King, in reply, expressed his warm feelings towards Mr. Wright, and stated that he regretted the troubles in our country; that he hoped soon to see them ended, and the integrity and majesty of our government and law maintained, and order triumph.

He thanked Mr. Wright for his allusion to the past friendly relations, and the manner in which he had promoted the same, and assured us that he was happy to hear through me the assurance of the continuance of the same.

The day following my presentation was occupied by me in establishing my relations with the ministers of state and the several diplomatic functionaries residing at this court.

I have the honor to be your obedient servant,

N. B. JUDD.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Judd to Mr. Seward.

[Extract.]

No. 4.]

LEGATION OF THE UNITED STATES,
Berlin, July 24, 1861.

SIR: On the 9th of July instant, in pursuance of the special instructions contained in despatch No. 4, from the Department of State to this legation, under date of April 24, 1861, to seek an early opportunity to ascertain whether the government of Prussia is disposed to enter into negotiations for the accession of the government of the United States to the articles of the declaration of the congress assembled at Paris, April 16, 1856, on the question of privateering and maritime war, I had an interview with Baron Von Schleinitz, minister of foreign affairs of his Majesty the King of Prussia. In communicating to the baron my instructions on that subject, and informing him of the disposition of the government of the United States to bring the negotiation on the basis of the Paris declaration to a speedy and satisfactory conclusion, I, at the same time, expressed to him how eminently desirable for the good of all nations the President deems it that the property and effects, not contraband of war, of private individuals, although citizens of belligerent States, should be exempt from seizure and confiscation by national vessels in time of maritime war. The baron, in response, assured me that his Majesty's government desired to adopt the most liberal policy on that subject.

I then alluded to his instructions to Baron Von Gerolt, the Prussian minister in Washington, as published in the official journal, the "*Staats Arzeiger*,"

and inquired if it was desired to transfer the negotiations to Washington. He replied in the negative, adding that the purpose and intent of the document chiefly was to give utterance to, and make manifest the good will of, his Majesty's government towards that of the United States, and to furnish a full and free communication and exchange of views between the two governments.

In reply to his inquiry, whether the President of the United States, through me, was prepared to submit propositions for a convention, I informed him that I had special powers to negotiate a treaty based upon the Paris declaration, and that a memorandum for that purpose had been prepared by the Department of State for my guidance. To my inquiry, whether the production of the evidence of my special authority was desired at this time, he replied negatively, but asked to be informed whether the treaty was intended to be a joint one with all the parties to the Paris conference, or a separate convention with each one of the parties. I responded that my instructions directed me to negotiate with the Prussian government only. He then requested that the propositions of the government of the United States be submitted in writing, promising, in that event, an early consideration of the same. Accordingly, on the 11th day of July instant, I addressed a communication to Baron Von Schleinitz, minister of foreign affairs, together with a copy of the memorandum for a convention upon the subject of belligerents and neutrals in time of war between the United States of America and his Majesty the King of Prussia, as furnished me by the Department of State, in connexion with its despatch No. 4, under date of April 24, 1861. A copy of my communication accompanies this despatch, marked Exhibit No. 1. No reply has yet been received from Baron Von Schleinitz to that communication.

* * * * *

I have the honor to be, respectfully, your obedient servant,

N. B. JUDD.

HON. W. H. SEWARD,
Secretary of State, Washington, D. C.

Exhibit No. 1.

LEGATION OF THE UNITED STATES,
Berlin, July 11, 1861.

MONSIEUR LE BARON: The undersigned, envoy extraordinary and minister plenipotentiary, has the honor herewith to present the memoranda referred to in our conversation of yesterday, it being simply a statement of the articles of the declaration adopted by the congress assembled at Paris, April 16, 1856.

While the President has instructed the undersigned to present and assent to a convention in terms substantially that of the congress at Paris, the President, nevertheless, desires the undersigned to submit to the government of his Majesty the King of Prussia how just and eminently desirable for the good of all nations he considers it that the property and effects of private individuals, not contraband of war, should be exempt from seizure and confiscation by national vessels in time of maritime war, although belonging to the citizens and subjects of the belligerent States; and in view of this fact, the undersigned begs leave to state to your excellency that he feels authorized and prepared to so modify the propositions he has the honor herewith to submit as to embrace the principle above stated, if it should

meet the views and be deemed desirable by the government of his Majesty the King of Prussia.

The undersigned avails himself of this opportunity to assure your excellency of his high and distinguished consideration.

N. B. JUDD.

His Excellency Baron Von SCHLEINITZ,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Seward to Mr. Judd.

No. 7.]

DEPARTMENT OF STATE,
Washington, July 26, 1861.

SIR: Mr. Wright's despatch, No. 177, dated June 22, was duly received.

Baron Gerolt has handed to me a copy of the instruction from his government, to which Mr. Wright refers. I have acknowledged the tenor of that paper as not unacceptable, but I agree with Mr. Wright in thinking it desirable that the strongest possible expressions be obtained from Prussia for their moral effect.

Our army on the Potomac encountered a reverse on the 21st, which, for the moment, produced a shock; but the evil effects of the disaster have already passed away, while a more vigorous and determined resolution exists now than ever to strengthen and preserve the Union.

We have put all the candidates recommended to us by Baron Schleinitz into military employment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

NORMAN B. JUDD, Esq., &c., &c., &c., *Berlin.*

Mr. Seward to Mr. Judd.

[Extract.]

No. 12.]

DEPARTMENT OF STATE,
Washington, August 12, 1861.

SIR: Your despatch of July 24, No. 3, has been received. Your conduct in relation to the subject of negotiations for a convention with the government of Prussia on the subject of the rights of neutrals in maritime war, as referred to in that paper, is approved. * * * *

* * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

NORMAN B. JUDD, Esq., &c., &c., &c.

Mr. Judd to Mr. Seward.

[Extract.]

No. 6.]

LEGATION OF THE UNITED STATES,

Berlin, August 27, 1861.

SIR: * * * * *

Since my written communication to Baron Von Schleinitz on the subject of the maritime treaty, a copy of which was sent to the State Department in my despatch No. 4, I have not heard from this government directly upon the subject; but Baron Von Mohrenheim, of the Russian legation, informs me that, in conversation with Baron Von Schleinitz, the latter expressed the opinion that the object sought by the United States could be attained by a simple adhesion on its part to the articles of the Paris treaty, and that there was no necessity for a formal and separate treaty. I also learned from Baron Von Mohrenheim that the Russian government inclined to the same opinion. My conversations with the members of the diplomatic corps here have convinced me that they are not only thoroughly advised of the views and action of their own governments in this matter, but that every step taken by any government interested is promptly communicated, so that each representative is fully advised of the condition of the question with all the governments, and that there is concerted action, with England at the head.

* * * * *

I have the honor to be, very respectfully, your obedient servant,

N. B. JUDD.

HON. W. H. SEWARD,
Secretary of State.

Mr. Judd to Mr. Seward.

[Extract.]

No. 10.]

LEGATION OF THE UNITED STATES,

Berlin, October 10, 1861.

SIR: I have the honor to acknowledge the receipt of your despatch (No. 14) bearing date September 21, 1861. Since my communication to the foreign office here in relation to the maritime treaty, a copy of which accompanied despatch No. 4, from this legation, I have no word or note from the Prussian government on the subject.

* * * * *

I have the honor to be, respectfully, your obedient servant,

N. B. JUDD.

HON. W. H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Judd.

No. 16.]

DEPARTMENT OF STATE,
Washington, October 21, 1861.

SIR: Your despatch of September 24 (No. 8) has been received. It treats of many matters interesting, though not of chief importance. Your proceedings in regard to them are approved. Disunion, by surprise and impetuous passion, took the first successes, and profited by them to make public opinion in Europe. Union comes forward more slowly, but with greater and more enduring vigor. This nation, like every other, in the present as in all other cases, stands by its own strength. Other powers will respect it so long as it exhibits its ability to defend and save itself. More, perhaps, ought not to be wished; certainly it could not be reasonably expected.

I am, &c.,

WILLIAM H. SEWARD.

N. B. JUDD, Esq.,
&c., &c., &c., *Berlin.*



BELGIUM.

Mr. Seward to Mr. Sanford.

No. 2.]

DEPARTMENT OF STATE,
Washington, March 26, 1861.

SIR: Having spent the winter in Washington, you need not be informed of the attempts of a misguided party of citizens in several of the southern States, not unattended with violence and spoliation, to dismember the federal republic, and of their scheme to organize several of the States in a new revolutionary government, under the name of the Confederate States of America. Formidable as this conspiracy seemed at the beginning, it is now confidently believed that the policy of the present administration in regard to it will be supported by the people—a policy of conciliation, forbearance, and firmness—and that the conspiracy will thus fail for want of ultimate adoption by the States themselves which are expected to constitute the new confederacy. Aware of this danger, the movers in that desperate and destructive enterprise are now understood to be making every effort to gain external advantage by appeals to prejudice or supposed interest in foreign nations for a recognition of the independence of the proposed new confederacy.

Under these circumstances the most important duty of the diplomatic representatives of the United States in Europe will be to counteract by all proper means the efforts of the agents of that projected confederacy at their respective courts. It was your extensive acquaintance on the continent, taken in connexion with your activity and energy here, which induced the President to confer upon you the appointment of minister resident in Belgium.

The general considerations to be urged against such a recognition will be found in the inaugural address of the President, delivered on the 4th of March instant, and in a circular letter despatched by me on the 9th instant to our ministers, an original part of which will be found in the archives of your legation. For your present convenience I enclose a copy of this circular letter.

The President, confident of the ultimate ascendancy of law, order, and the Union, through the deliberate action of the people in constitutional forms, does not expect you to engage in any discussion which the agents of the disunionists may attempt to initiate on the merits of their proposed revolution. He will not consent, directly or indirectly, to the interpellation of any foreign power in a controversy which is merely a domestic one.

There is some reason to suppose that the agents of the disunionists will attempt to win favor for their scheme of recognition by affecting to sympathize with the manufacturing interests of the European nations in their discontent with the tariff laws of the United States, and by promising to receive the fabrics of such nations on more favorable terms. You will be able to reply to such seductions as these that the new tariff laws thus complained of are revenue laws deemed by the legislature of the United States necessary under new and peculiar circumstances; that all experience shows

that such laws are not and cannot be permanent; that if, as is now pretended, they shall prove to be onerous to foreign commerce, they will, of course, prove also to be unfruitful of revenue, and that in that case they will necessarily be promptly modified. The inconvenience, if any shall result from them, will therefore be temporary and practically harmless. Nor will any statesman of a foreign country need to be informed that the consumption of the fabrics which it is proposed shall be favored by the so-called seceding States chiefly takes place, not within those States, but in a very large degree in the States which remain undisturbed by this unhappy attempt at revolution.

It hardly needs be added that the recognition which the insurgent States desire tends through either peace or war to the establishment of a new government. That new government, like the government of the United States, must levy imports on foreign merchandise, while it must also resort to an export duty on cotton, its great staple, for its support; and these two measures combined would constitute a policy largely prohibitive, instead of the liberal and genial one which is now promised by the disunion party.

You will not fail to represent to the government of the King of the Belgians that all the interests of European manufactures and commerce are identified with the promotion of peace and the undisturbed activity of the American people. An act of recognition in favor of a now discontented party would necessarily tend to encourage that party to attempt to establish their separation from the Union by civil war, the consequences of which would be disastrous to all the existing systems of industrial activity in Europe, and when once they had begun, those consequences would be likely to continue indefinitely; whereas no nation in Europe can hope that their own interests would be as safe and prosperous under any change of government here as they are now and have so long been under our present system.

It is quite manifest already that differences and embarrassing questions may soon arise concerning the conduct of commerce, and that the commercial States of Europe may be subjected to strong seductions to violate our revenue laws and regulations. You will say generally on this subject that the government of the United States will expect the same respect to those laws and regulations which has hitherto been shown and which our treaties of amity and commerce entitle us to demand, and that it will not hold itself bound to favor or exempt from consequences any parties, of whatever nation, who may violate them. It does not at all distrust its ability to maintain them or the good disposition of its allies to observe them.

I shall not enlarge on these subjects, inasmuch as the phase of the whole affair changes almost daily. The President willingly expects to rely on your astuteness in discovering points of attack and your practical skill and experience in protecting the interests of the United States. He will expect you, however, to communicate to this department very fully and frequently, and you will receive prompt instructions in every new emergency.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., &c.

Mr. Sanford to Mr. Seward.

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,
Brussels, May 10, 1861.

SIR: * * * * *

I was received by the King, to present my letter of credence, on the 8th, in "solemn audience," and made on the occasion an address, of which I enclose a copy, (A.)

The King replied that he highly appreciated the sentiments of friendly feeling, of which I bore to him the expression, from the President, and the flattering terms, as he expressed it, in which they were couched. He desired me to tender to the President his thanks for them, and to say that he reciprocated fully the desire for the continuance of the friendly and cordial relations which, during the more than thirty years that had elapsed since the formation of his government, had marked our intercourse, and he hoped for the continued prosperity of the United States. After some remarks complimentary to myself and my former residence in Europe, he entered into general conversation, in which he showed great interest in and knowledge of the United States, manifesting a warm desire to have the means of direct intercourse increased between the two countries. The genius of his people, he said, was rather for industrial pursuits at home, and in which they had been very successful; but they had failed upon the seas; and he thought if the enterprise and practical knowledge of our people could be brought to bear in favor of steam communication between Belgium and the United States, a large trade could be diverted through this channel, Antwerp being a natural entrepôt for Central Europe.

His Majesty spoke but generally of the insurrection in the southern States; said he hoped that some peaceful issue would be found, and that the spirit of conciliation would prevail, and then referred to the growing markets they had for their manufactures in the United States. My audience, which was lengthened by a long conversation on general subjects, was most satisfactory, in the very kind and cordial spirit manifested by his Majesty.

* * * * *

I have the honor to be, with great respect, your obedient servant,

H. S. SANFORD.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Sanford to Mr. Seward.

[Extracts.]

No. 5.]

LEGATION OF THE UNITED STATES,
Brussels, May 26, 1861.

SIR: I had a conversation to-day with M. de Vrière on the subject of the efforts of the commissioners of the so-called "Confederate States" to obtain recognition of the European powers.

He informed me that no application had been made to him in this view, nor would it now be entertained if made. The revolution would receive no

sanction by any act of Belgium. A small State, he continued, whose prosperity depended on the full exercise of the industrial pursuits of its people, they did not mingle in foreign politics, their policy being not to imperil their interests by stepping beyond the limits of strict neutrality in their intercourse with other States. They should, therefore, remain "neutral," as he expressed it, in respect to this question. They had not even yet recognized the Italian government, he added. We desired, I told him, not to be subjected to any interference in the settlement of our domestic affairs, whether in the form of recognition of political existence or of belligerent rights of those who were in open rebellion to the government and laws of the United States. It was an issue between order and anarchy which we were fully able to cope with, and all Europe was interested that its settlement be in the most prompt and effective manner, as least liable to cause permanent derangement to commerce.

In reply to my inquiry, he said he had received no official information of the blockade of our southern ports, proclaimed by the President, although he had late advices from the Belgian minister at Washington. He had only knowledge of it, he said, as printed in the papers. In answer to his inquiry, I said I thought it would not injuriously affect the supply of cotton, as the crop of the past year had mostly gone forward; and, moreover, that while the blockade would be rigorously enforced with regard to supplies, or vessels bearing the "confederate" flag, I presumed, although I had no instructions on the subject, that the vessels now loading, or under engagements to load in those ports, would be allowed reasonable time to leave; that there was every desire to make this condition of things, which was but temporary, as little embarrassing as possible to foreign commerce. The minister expressed great satisfaction at this, and said that the possibility of failure of the cotton supply, growing out of these troubles in our southern States, was causing great anxiety.

M. de Vrière then spoke of the new tariff with a great deal of feeling; said that it was highly prejudicial to their interests, instancing in point that forty furnaces for the manufacture of window glass had been stopped in consequence, and expressed his surprise that, in this age of progress, when Europe was abandoning the exploded system, as he expressed himself, of differential duties, the United States should pursue such a course. Their own experience as a manufacturing people had convinced them of the bad policy of such a system for the interests of the manufacturers themselves. I replied that I presumed the general interruptions of trade consequent upon apprehended war in the United States was, quite as much as the new tariff, a cause for suspension of the traffic he referred to. The tariff had been augmented by the last Congress to produce more revenue; if it failed to produce such result, it would probably be changed; it was a matter dependent on the will of Congress, and he was aware we had had several changes in the past few years, none of which had apparently given satisfaction to the manufacturing States of Europe which desired to supply our markets; still, it was our main source of revenue, and the system of raising means for the expenses of the government by a duty on importations would probably long continue.

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I took my leave of M. de Vrière with the repeated assurance that no countenance would be given, in any form, to the rebellion in our southern States.

I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Sanford to Mr. Seward.

[Extract.]

No. 9.]

LEGATION OF THE UNITED STATES,
Brussels, June 22, 1861.

SIR: As M. de Vrière is out of town, I directed the attention of Monsieur Saluremont, the secretary general, who is charged with the affairs of the department in the absence of the minister, in an interview with him to-day, as to the propriety of a proclamation warning Belgians from taking service under those in rebellion to the federal government, furnishing them "aid and comfort," and, especially, closing the ports of Belgium to their "*privateers*"—declared by the President to be pirates—or permitting them to be fitted out in her ports. I said that while the assurances I had received from M. de Vrière, soon after my arrival, of the attitude of his government had been satisfactory, I hoped it would now give public expression to them, both as due to a friendly power and as a warning to their own citizens of the perils of such enterprises.

Mons. Saluremont replied that the matter had been under consideration; that the position which England and France had taken had not seemed to be satisfactory to the government of the United States, and they had delayed, in consequence, taking any formal steps; but not, he begged me to be assured, from any want of friendly spirit or desire to do all the occasion called for at their hands.

I replied that he was correct in his views of our sentiments as to the course which England and France had seen fit to pursue. We could not look upon the recognition of belligerent rights to those who, under our laws, were rebels, and before we had attempted to employ forcible means of coercion, as evincing the friendly spirit we had a right to expect; that these people would be treated none the less as rebels on the land as pirates on the seas—they or those of whatever nationality who joined them; and we counted, on the part of Belgium, upon no such qualification of our citizens in rebellion, whom we were engaged in submitting to the action of our laws.

He said their legislation provided generally for the cases I had instanced, but that attention would be immediately given to the subject, and he thought we need not have any reason to be dissatisfied with the action they would take in the premises.

He then told me that our new tariff law was a subject of great complaint in Belgium, and great distress in some branches of industry which it had destroyed, referring specially to glass and some kinds of woollen goods.

I again explained our system of revenue, which all manufacturing States this side the Atlantic insist upon believing to be disadvantageous to their interests.

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I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Sanford to Mr. Seward.

[Extract.]

No. 10.]

LEGATION OF THE UNITED STATES,
Brussels, July 2, 1861.

SIR: Referring to a conversation detailed in my despatch No. 9, I have the honor to enclose a notice published in the official journal (the *Moniteur*) of the 25th ultimo, in which, basing its action upon the stipulations of the declaration of the congress of Paris of April 16, 1856, it is announced that instructions have been addressed to the judicial, maritime, and military authorities to inform them that privateers of no nation or flag, alone or with their prizes, will be permitted, save in cases of extreme danger by stress of weather, to enter the ports of Belgium; enjoining upon them to recognize no commission or letter of marque as having validity; and warning all subject to the Belgian laws that in taking part or service in any privateers they incur risk of being treated as pirates abroad, and of being prosecuted with the utmost rigor of the laws at home. In thanking the acting minister for this prompt response to my request, I observed that while this was sufficient, in so far as it went, for the occasion that called it forth—as we had, and expected to have, no privateers upon the sea at this time—still, so long as we were not a party to the declaration of Paris, the employment of privateers by the United States was undoubtedly as much a belligerent right as the employment of militia on land; and in the event of a foreign war we should expect, on the part of friendly powers, no such impediment to its exercise by any injurious distinction between it and the other arms of the public service.

* * * * *

I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

[Translation.]

Belgium has given its adhesion to the principles laid down in the declaration of the congress of Paris of April 16, 1856. This adhesion was published, together with said declaration, in the Belgian *Moniteur* of June 8, 1856.

The commercial public is notified that instructions on this subject have been given to the judicial, maritime, and military authorities, warning them that privateers, under whatever flag or commission, or letters of marque, are not to be allowed to enter our ports except in case of imminent perils of the sea. The aforesaid authorities are charged, consequently, to keep a strict watch upon all such privateers and their prizes, and to compel them to put to sea again as soon as practicable.

The same authorities have been charged not to recognize the validity of any commission or letter of marque whatsoever.

All persons subject to the laws of Belgium, who shall fit out or take any part in any privateering expedition, will therefore expose themselves to the danger, on the one hand, of being treated as pirates abroad, and, on the other, to prosecution before Belgian tribunals with all the rigor of the laws.

Mr. Seward to Mr. Sanford.

No. 4.]

DEPARTMENT OF STATE,
Washington, May 6, 1861.

SIR: Herewith I transmit a copy of a despatch of the 24th ultimo, which has been addressed to the several ministers of the United States accredited to the maritime powers whose plenipotentiaries composed the congress of Paris of the 16th April, 1856, calling their attention to the importance of endeavoring to negotiate with those powers conventions upon the subject of the rights of belligerents and neutrals in time of war. The government of Belgium was not represented in the Paris congress; but the negotiation of a similar convention with that government is considered desirable, and you will therefore be governed by the instruction of which I enclose a transcript, and endeavor to effect that object. With this view I herewith send you a full power and a draft of the proposed convention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., Brussels.

Mr. Seward to Mr. Sanford.

No. 9.]

DEPARTMENT OF STATE,
Washington, June 21, 1861.

SIR: Your despatches (No. 5, dated May 26, and No. 6, of the same date) have been received. We are especially pleased with Mr. De Vrière's just and friendly sentiments in regard to our affairs.

You are aware that the declaration of Paris enjoins each of the parties that have signed it not to negotiate any other changes of the law of nations concerning the rights of neutrals in maritime war. We have supposed that this would operate to prevent Great Britain, and probably France, from receiving our accession to the declaration, if we should insist on the amendment proposed by Mr. Marcy, namely, the exemption of private property of non-belligerents from confiscation. But we should now, as the instructions heretofore given you have already informed you, vastly prefer to have that amendment accepted. Nevertheless, if this cannot be done, let the convention be made for adherence to the declaration pure and simple.

The feverish excitement which prevailed when you left the country is passing away. Public confidence in the ability of the government to repress the insurrection and preserve the Union is practically restored, and the beneficial result that two months ago seemed problematical is now regarded as only a question of time.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. S. SANFORD, Esq., &c., &c., Brussels.

Mr. Seward to Mr. Sanford.

No. 11.]

DEPARTMENT OF STATE,
Washington, June 22, 1861.

SIR: Your despatch of the 5th June, (No. 8,) accompanied by a copy of your letter to Mr. De Vrière, on the subject of our proposed adherence to the declaration of the congress of Paris, has been received. We see no reason to doubt the propriety of that communication.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., &c, *Brussels.*

Mr. Sanford to Mr. Seward.

[Extract.]

No. 11.]

UNITED STATES LEGATION,
Brussels, July 3, 1861.

SIR: I have not been unmindful of your instructions (No. 2) respecting a convention for the abrogation of passports for our citizens travelling or sojourning in Belgium.

As already intimated in my first despatch, passports are already almost virtually abolished here, the *visa* being no longer necessary. The usual course of this government in respect to this subject is, upon notification by a government that Belgians are not required to be provided with passports to enter upon or travel within its territories, to exempt equally citizens or subjects of such nations in Belgium.

This course has been pursued with Sweden and Holland, and will be soon followed with France and England.

In view of the disturbances in our southern States, and the consequent impossibility of assuring entire reciprocity of exemption from passports throughout our territory, I have not deemed it advisable at this time to make any proposition on this subject.

I am assured by Mr. De Vrière that, on formal notification that Belgians will not be required to present passports in the United States, the proper authorities here will direct the exemption of citizens of the United States travelling here from the requirement of passports.

They would need, however, in case of domicile here, some document to prove their identity. In this connexion, it may not be out of place to refer to a conversation I had some time since on this subject of the abolition of passports, with the officer in charge of that branch of the public service in France.

He said that they had already exempted British subjects coming to France from the action of the passport regulations, and had lately made similar exemptions with regard to Sweden, and were about to make the same exemptions with respect to Belgium, and would with most other nations on a footing of reciprocity. This was, however, a purely administrative act, liable to be recalled whenever considered for the interest of the state. They would in no case make a treaty which should bind them to the perpetual abolition of passports *vis-a-vis* to my nation.

In the present aspect of affairs in the United States, they deemed it im-

portant to have a control over the movements of their citizens to the United States and *vice versa* of ours in French territory; and deemed the present an inopportune time to make any change in the passport system with respect to the United States.

When matters returned to their normal condition, there would be no objection, he said, to suspend their passport regulations for citizens of the United States, and a simple administrative order was all that was necessary on their part, and could be made at any time when deemed expedient.

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I have the honor to be, with great respect, your most humble servant,
H. S. SANFORD.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Sanford.

No. 12.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch of June 22 (No. 9) was duly received. It is, in the main, not unsatisfactory, so far as the subject of our domestic affairs is concerned.

In regard to the rights of friendly or neutral powers in maritime war, the subject has become somewhat complicated, and it would be a tedious labor to make a distinct explanation to each of our ministers abroad. I send you instead, *confidentially*, a copy of my last despatch on this subject to Mr. Dayton. It may serve as a guide to your own conduct in relation to the subject.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *Brussels.*

Mr. Sanford to Mr. Seward.

No. 15.]

LEGATION OF THE UNITED STATES,
Brussels, July 18, 1861.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 9, 10, and 11, under dates of the 20th and 22d respectively.

I have as yet received no reply from M. De Vrière to my note to him of the 5th ultimo, on the subject of our adhesion to the declaration of the congress of Paris. I referred to it a few days since on the occasion of a visit to the foreign office, and was told that my proposition had been communicated to the French government, and that communication had been made by it to this government of the main points of the note addressed by M. Thouvenel to M. Mercier in the month of May upon this subject of neutral rights. I inferred from this that they were awaiting the result of the communications made to you by the French and English governments through their ministers at Washington.

I will take an early opportunity to bring the subject again to the attention of the minister.

I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

HON. WILLIAM H SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Sanford.

No. 20.]

DEPARTMENT OF STATE,
Washington, July 30, 1861.

SIR: The accompanying transcript of an instruction to our minister to Great Britain, dated the 21st instant, and numbered 42, will place you in possession of the views of this government concerning the principle of the law which authorizes the President to close the ports that have been seized by the insurgents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., &c., *Brussels.*

Mr. Sanford to Mr. Seward.

No. 16.]

LEGATION OF THE UNITED STATES,
Brussels, July 30, 1861.

SIR: I called yesterday at the department of foreign affairs to press again upon the attention of Baron De Vrière the proposition of adhesion to the declaration of Paris, made to him near two months since, and he being out of town, I saw the secretary general, who, as before said, replaces the minister in his absence.

In reply to my question whether the government had come to any decision, he said that they were not yet sufficiently informed of the condition of this subject at other courts to give me any positive answer; that while he would not say that they would give a negative one, the policy and acts of Belgium being, as I was aware, doubtless most liberal, yet they did not feel, as a smaller power, justified in taking any step of this nature in advance of their neighbors.

I inquired whether there was any other objection to this proposed convention than he had indicated, in order to learn whether the addition of the Marcy proposition was considered an impediment. He said he was not prepared to give any other; that their position with regard to neighboring powers, to whom Belgium owed, in one sense, her nationality, was a delicate one, and they did not feel authorized to take any initiative in negotiations of this character; they left that to those powers who must necessarily have a controlling influence in general politics.

It is thus evident that this government will do nothing till after the great powers have decided upon a course of action in this matter.

I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

P. S.—I open my despatch to acknowledge the receipt of your despatches Nos. 12, 13, and 14, with their respective enclosures, which will have immediate action.

H. S. S.

Mr. Seward to Mr. Sanford.

No. 22.]

DEPARTMENT OF STATE,
Washington, August 5, 1861.

SIR: Your despatch No. 15, dated July 18, has been received.

There is no especial urgency on our part for consideration by the Belgian government of our proposition to accede to the declaration of the congress of Paris before the similar propositions submitted to the British and French governments shall have been acted upon by them, although we hold ourselves ready to carry our overtures into effect when the Belgian government shall desire.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., &c., *Brussels.*

Mr. Seward to Mr. Sanford.

No. 23.]

DEPARTMENT OF STATE,
Washington, August 12, 1861.

SIR: Your despatch dated July 3 (No. 11) has been received.

I am quite content, under existing circumstances, with the disposition you propose in that paper to make of the subject of passports, and I acquiesce very cheerfully in the views which you take of the importance of vigilance in regard to the movements of disaffected citizens of our own country travelling in Europe.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., &c., *Brussels.*

Mr. Seward to Mr. Sanford.

No. 24.]

DEPARTMENT OF STATE,
Washington, August 21, 1861.

SIR: Your despatch of July 30 (No. 16) has been received.

I am not disappointed, nor do I think we ought to be dissatisfied, with Mr. De Vriere's reply to your inquiry on the subject of maritime relations.

You are so frequently at Paris and London, that I may refer you to the legations at one of those places for the latest phase of our negotiation on the same subject with the government of Great Britain. That government having taken the lead in determining European relations to us, and other powers having silently acquiesced, we shall hardly expect them to anticipate her own final decision upon the case, as it is presented to all alike.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., &c., &c., &c., *Brussels*.

MEXICO.

Mr. Seward to Mr. Corwin.

No. 2.]

DEPARTMENT OF STATE,
Washington, April 6, 1861.

SIR: The actual condition of affairs in Mexico is so imperfectly understood here that the President finds it very difficult to give you particular and practical directions for the regulation of your conduct during your mission.

Our latest information was, in substance, that the provisional government of President Juarez, so long confined to the sea-coasts of the country, had finally overthrown its adversaries and established itself at the capital; that the opposing armies had been demoralized and dispersed, and that there was no longer any armed resistance in the States; that an election for president had been held, in conformity with the constitution of 1857, and that the now provisional president had probably secured a majority of the votes, although the result was as yet not certainly known. The pleasure which these events have inspired is unhappily diminished by rumors that the government is without sufficient authority or hold on the public confidence to maintain order; that robberies are of frequent occurrence on the high roads, and even that a member of our late legation in the country has been murdered on his way from the city of Mexico to Vera Cruz.

You will apply yourself at once, with energy and diligence, to investigate the truth of this last-mentioned occurrence, which, if found to have been accurately reported, will not only be regarded as a high offence against the dignity and honor of the United States, but will prove a severe shock to the sensibilities of the American people.

The President is unable to conceive that any satisfactory explanation of a transaction so injurious to the character of Mexico can be made. He will, however, wait for your report concerning it, though with the deepest anxiety, before taking action upon the subject.

I find the archives here full of complaints against the Mexican government for violations of contracts and spoliations and cruelties practiced against American citizens. These complaints have been lodged in this department, from time to time, during the long reign of civil war in which the factions of Mexico have kept that country involved, with a view to having them made the basis of demands for indemnity and satisfaction whenever government should regain in that country sufficient solidity to assume a character for responsibility. It is not the President's intention to send forward such claims at the present moment. He willingly defers the performance of a duty which at any time would seem ungracious, until the incoming administration in Mexico shall have had time, if possible, to cement its authority and reduce the yet disturbed elements of society to order and harmony. You will, however, be expected, in some manner which will be marked with firmness as well as liberality, to keep the government there in mind that such of these claims as shall be found just will, in due time, be presented and urged upon its consideration.

While now, as heretofore, it is a duty of this government to reason with

that of Mexico, and deprecate a continuance of the chronic reign of disorder there, a crisis has unhappily arrived, in which the performance of this duty is embarrassed by the occurrence of civil commotions in our own country, by which Mexico, in consequence of her proximity, is not unlikely to be affected. The spirit of discontent seems, at last, to have crossed the border, and to be engaged in an attempt to overthrow the authority of this government in some parts of the country which adjoin the Mexican republic. It is much to be feared that new embarrassments of the relations of the two countries will happen when authority so long prostrated on the Mexican side finds the power of the United States temporarily suspended on this side of the frontier. Whatever evils shall thus occur, it is much to be feared will be aggravated by the intervention of the Indians, who have been heretofore with difficulty restrained from violence, even while the federal authority has been adequately maintained.

Both of the governments must address themselves to this new and annoying condition of things, with common dispositions to mitigate its evils and abridge its duration as much as possible.

The President does not expect that you will allude to the origin or causes of our domestic difficulties in your intercourse with the government of Mexico, although that government will rightfully as well as reasonably ask what are his expectations of their course and their end. On the contrary, the President will not suffer the representatives of the United States to engage in any discussion of the merits of those difficulties in the presence of foreign powers, much less to invoke even their censure against those of our fellow-citizens who have arrayed themselves in opposition to its authority.

But you are instructed to assure the government of Mexico that these difficulties, having arisen out of no deep and permanent popular discontent, either in regard to our system of government itself, or to the exercise of its authority, and being attended by social evils which are as ruinous as they are unnecessary, while no organic change that is contemplated could possibly bring to any portion of the American people any advantages of security, peace, prosperity, or happiness equal to those which the federal Union so effectually guarantees, the President confidently believes and expects that the people of the United States, in the exercise of the wisdom that hitherto has never failed them, will speedily and in a constitutional way adopt all necessary remedies for the restoration of the public peace and the preservation of the federal Union.

The success of this government in conducting affairs to that consummation may depend in some small degree on the action of the government and people of Mexico in this new emergency. The President could not fail to see that Mexico, instead of being benefited by the prostration or the obstruction of federal authority in this country, would be exposed by it to new and fearful dangers. On the other hand, a condition of anarchy in Mexico must necessarily operate as a seduction to those who are conspiring against the integrity of the Union to seek strength and aggrandizement for themselves by conquests in Mexico and other parts of Spanish America. Thus, even the dullest observer is at last able to see what was long ago distinctly seen by those who are endowed with any considerable perspicacity, that peace, order, and constitutional authority in each and all of the several republics of this continent are not exclusively an interest of any one or more of them, but a common and indispensable interest of them all.

This sentiment will serve as a key to open to you, in every case, the purposes, wishes, and expectations of the President in regard to your mission

which, I hardly need to say, he considers at this juncture perhaps the most interesting and important one within the whole circle of our international relations.

The President of the United States does not know, and he will not consent to know, with prejudice or undue favor any political party, religious class, or sectional interest in Mexico. He regrets that anything should have occurred to disturb the peaceful and friendly relations of Mexico with some of the foreign States lately represented at her capital. He hopes most sincerely that those relations may be everywhere renewed and reinvigorated, and that the independence and sovereignty of Mexico and the government which her people seem at last to have accepted, after so many conflicts, may be now universally acknowledged and respected.

Taking into view the actual condition and circumstances of Mexico, as well as those of the United States, the President is fully satisfied that the safety, welfare, and happiness of the latter would be more effectually promoted if the former should retain its complete integrity and independence, than they could be by any dismemberment of Mexico, with a transfer or diminution of its sovereignty, even though thereby a portion or the whole of the country or its sovereignty should be transferred to the United States themselves. The President is moreover well aware that the ability of the government and people of Mexico to preserve and maintain the integrity and the sovereignty of the republic might be very much impaired, under existing circumstances, by hostile or unfriendly action on the part of the government or of the people of the United States. If he needed any other incentive to practice justice and equality towards Mexico, it would be found in the reflection that the very contention and strife in our own country which at this moment excite so much domestic disquietude and so much surprise throughout a large part of the world, could probably never have happened if Mexico had always been able to maintain with firmness real and unquestioned sovereignty and independence. But if Mexico has heretofore been more unfortunate in these respects than many other modern nations, there are still circumstances in her case which justify a hope that her sad experience may be now coming to an end. Mexico really has, or ought to have, no enemies. The world is deeply interested in the development of her agricultural, and especially her mineral and commercial resources, while it holds in high respect the simple virtues and heroism of her people, and, above all, their inextinguishable love of civil liberty.

The President, therefore, will use all proper influence to favor the restoration of order and authority in Mexico, and, so far as it may be in his power, he will prevent incursions and every other form of aggression by citizens of the United States against Mexico. But he enjoins you to employ your best efforts in convincing the government of Mexico and even the people, if, with its approval, you can reach them, that the surest guaranty of their safety against such aggressions is to be found in a permanent restoration of the authority of that government. If, on the other hand, it shall appear in the sequel that the Mexican people are only now resting a brief season to recover their wasted energies sufficiently to lacerate themselves with new domestic conflicts, then it is to be feared that not only the government of the United States but many other governments will find it impossible to prevent a resort to that magnificent country of a class of persons, unhappily too numerous everywhere, who are accustomed to suppose that visionary schemes of public interest, aggrandizement, or reform will justify even lawless invasion and aggression.

In connexion with this point it is proper that you should be informed that

the Mexican government has, through its representative here, recently complained of an apprehended attempt at invasion of the State of Sonora by citizens of California, acting, as is alleged, with the knowledge and consent of some of the public authorities in that State. You will assure the Mexican government that, due care being first taken to verify the facts thus presented, effective means shall be adopted to put our neutrality laws into activity.

The same representative has also expressed to the President an apprehension that the removal of the federal troops from the Texan border may be followed by outbreaks and violence there. There is, perhaps, too much ground for this apprehension. Moreover, it is impossible to force the course of the attempts which are taking place in that region to subvert the proper authority of this government. The President, however, meantime directs you to assure the Mexican government that due attention shall be bestowed on the condition of the frontier, with a view to the preservation and safety of the peaceable inhabitants residing there. He hopes and trusts that equal attention will be given to this important subject by the authorities of Mexico.

These matters, grave and urgent as they are, must not altogether withdraw our attention from others to which I have already incidentally alluded, but which require more explicit discussion.

For a few years past, the condition of Mexico has been so unsettled as to raise the question on both sides of the Atlantic whether the time has not come when some foreign power ought, in the general interest of society, to intervene to establish a protectorate or some other form of government in that country and guaranty its continuance there. Such schemes may even now be held under consideration by some European nations, and there is also some reason to believe that designs have been conceived in some parts of the United States to effect either a partial dismemberment or a complete overthrow of the Mexican government, with a view to extend over it the authority of the newly projected confederacy, which a discontented part of our people are attempting to establish in the southern part of our own country. You may possibly meet agents of this projected confederacy, busy in preparing some further revolution in Mexico. You will not fail to assure the government of Mexico that the President neither has, nor can ever have, any sympathy with such designs, in whatever quarter they may arise or whatever character they may take on.

In view of the prevailing temper and political habits and opinions of the Mexican people, the President can scarcely believe that the disaffected citizens of our own country, who are now attempting a dismemberment of the American Union, will hope to induce Mexico to aid them by recognizing the assumed independence which they have proclaimed, because it seems manifest to him that such an organization of a distinct government over that part of the present Union which adjoins Mexico would, if possible, be fraught with evils to that country more intolerable than any which the success of those desperate measures could inflict even upon the United States. At the same time it is manifest that the existing political organization in this country affords the surest guaranty Mexico can have that her integrity, union, and independence will be respected by the whole people of the American Union.

The President, however, expects that you will be watchful of such designs as I have thus described, however improbable they may seem, and that you will use the most effective measures in your power to counteract any recognition of the projected Confederate States by the Mexican government, if it shall be solicited.

Your large acquaintance with the character of the Mexican people, their interests and their policy, will suggest many proper arguments against such a measure, if any are needful beyond the intimations I have already given.

In conclusion, the President, as you are well aware, is of opinion that, alienated from the United States as the Spanish American republics have been for some time past—largely, perhaps, by reason of errors and prejudices peculiar to themselves, and yet not altogether without fault on our own part—that those States and the United States nevertheless, in some respects, hold a common attitude and relation towards all other nations; that it is the interest of them all to be friends as they are neighbors, and to mutually maintain and support each other so far as may be consistent with the individual sovereignty which each of them rightly enjoys, equally against all disintegrating agencies within and all foreign influences or power without their borders.

The President never for a moment doubts that the republican system is to pass safely through all ordeals and prove a permanent success in our own country, and so to be commended to adoption by all other nations. But he thinks also that that system everywhere has to make its way painfully through difficulties and embarrassments, which result from the action antagonistical elements which are a legacy of former times and very recent institutions. The President is hopeful of the ultimate triumph of this system over all obstacles, as well in regard to Mexico as in regard to every other American State; but he feels that those States are nevertheless justly entitled to a greater forbearance and more generous sympathies from the government and people of the United States than they are likely to receive in any other quarter.

The President trusts that your mission, manifesting these sentiments, will reassure the government of Mexico of his best disposition to favor their commerce and their internal improvements. He hopes, indeed, that your mission, assuming a spirit more elevated than one of merely commerce and conventional amity, a spirit disinterested and unambitious, earnestly American in the continental sense of the word, and fraternal in no affected or mere diplomatic meaning of the term, while it shall secure the confidence and good will of the government of Mexico, will mark the inauguration of a new condition of things directly conducive to the prosperity and happiness of both nations, and ultimately auspicious to all other republican States throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., &c., &c., &c.

Mr. Corwin to Mr. Seward.

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,
City of Mexico, May 29, 1861.

SIR: * * * * * * * *

I deem it of the very first importance that our consuls at every port on the Gulf of Mexico should be at their respective posts, with careful and specific instructions as to their treatment of vessels sailing under the flag of the Confederate States, or having papers from ports within those States, made out by officers under their authority.

Should the relations now existing, or which may hereafter exist, between the United States and the seceding States be such as to require of me any specific act in relation to such state of things, I beg to be advised of it by the department as early as possible.

The present government of Mexico is well affected towards us in our present difficulties, but, for obvious reasons, will be unwilling to enter into any engagement which might produce war with the south, unless protected by promise of aid from the United States.

* * * * *

I am, &c.,

THOMAS CORWIN.

Hon. W. H. SEWARD, &c., &c., &c.

Mr. Corwin to Mr. Seward.

[Extracts.]

No. 2.

LEGATION OF THE UNITED STATES,
Mexico, June 29, 1861.

SIR: * * * * *

The present time is most propitious for securing the advantages and preventing the evils which I have suggested. The government here feels the strongest sympathy with the United States.

* * * * *

It has been my constant endeavor since my arrival here to possess the Mexican mind of the true causes of our difficulties, and thus enable them to estimate the danger to this republic which will result from any unfavorable termination of them. I am quite sure that whilst this government will endeavor to preserve peaceful relations with all the European powers on fair terms, it regards the United States as its true and only reliable friend in any struggle which may involve the national existence. That this should be so is somewhat remarkable, when we regard the deep prejudices engendered in the general Mexican mind by the loss of Texas, which they attribute to our citizens, and the compulsory cession of territory which was a consequence of our war with them.

* * * * *

I am, &c.,

THOMAS CORWIN.

Hon. W. H. SEWARD,
Secretary of State, U. S., &c., &c., &c.

GREAT BRITAIN.

Mr. Seward to Mr. Adams.

No. 2.]

DEPARTMENT OF STATE,
Washington, April 10, 1861.

SIR: Although Great Britain and the United States possess adjacent dominions of large extent, and although they divide, not very unequally, a considerable portion of the commerce of the world, yet there are at present only two questions in debate between them. One of these concerns the line of boundary running through Puget's Sound, and involves the title to the island of San Juan. The other relates to a proposition for extinguishing the interest of the Hudson's Bay and Puget's Sound agricultural companies in the Territory of Washington. The discussion of these questions has hitherto been carried on here, and there is no necessity for removing it to London. It is expected to proceed amicably and result in satisfactory conclusions. It would seem, therefore, on first thought, that you would find nothing more to do in England than to observe and report current events, and to cultivate friendly sentiments there towards the United States. Nevertheless, the peculiar condition of our country in the present juncture renders these duties a task of considerable delicacy.

You will readily understand me as alluding to the attempts which are being made by a misguided portion of our fellow citizens to detach some of the States and to combine them in a new organization under the name of the Confederate States of America. The agitators in this bad enterprise, justly estimating the influence of the European powers upon even American affairs, do not mistake in supposing that it would derive signal advantage from a recognition by any of those powers, and especially Great Britain. Your task, therefore, apparently so simple and easy, involves the responsibility of preventing the commission of an act by the government of that country which would be fraught with disaster, perhaps ruin, to our own.

It is by no means easy to give you instructions. They must be based on a survey of the condition of the country, and include a statement of the policy of the government. The insurrectionary movement, though rapid in its progress, is slow in revealing its permanent character. Only outlines of a policy can be drawn which must largely depend on uncertain events.

The presidential election took place on the 6th of November last. The canvass had been conducted in all the southern or slave States in such a manner as to prevent a perfectly candid hearing there of the issue involved, and so all the parties existing there were surprised and disappointed in the marked result. That disappointment was quickly seized for desperate purposes by a class of persons until that time powerless, who had long cherished a design to dismember the Union and build up a new confederacy around the Gulf of Mexico. Ambitious leaders hurried the people forward, in a factious course, observing conventional forms but violating altogether the deliberative spirit of their constitutions. When the new federal administration came in on the 4th of March last, it found itself confronted by an

insurrectionary combination of seven States, practicing an insidious strategy to seduce eight other States into its councils.

One needs to be as conversant with our federative system as perhaps only American publicists can be to understand how effectually, in the first instance, such a revolutionary movement must demoralize the general government. We are not only a nation, but we are States also. All public officers, as well as all citizens, owe not only allegiance to the Union but allegiance also to the States in which they reside. In the more discontented States the local magistrates and other officers cast off at once their federal allegiance, and conventions were held which assumed to absolve their citizens from the same obligation. Even federal judges, marshals, clerks, and revenue officers resigned their trusts. Intimidation deterred loyal persons from accepting the offices thus rendered vacant. So the most important faculties of the federal government in those States abruptly ceased. The resigning federal agents, if the expression may be used, *attorned* to the revolutionary authorities and delivered up to them public funds and other property and possessions of large value. The federal government had, through a long series of years, been engaged in building strong fortifications, a navy yard, arsenals, mints, treasuries, and other public edifices, not in any case for use against those States, but chiefly for their protection and convenience. These had been unsuspectingly left either altogether or imperfectly garrisoned or guarded, and they fell, with little resistance, into the hands of the revolutionary party. A general officer of the army gave up to them a large quantity of military stores and other property, disbanded the troops under his command, and sent them out of the territory of the disaffected States.

It may be stated, perhaps without giving just offence, that the most popular motive in these discontents was an apprehension of designs on the part of the incoming federal administration hostile to the institution of domestic slavery in the States where it is tolerated by the local constitutions and laws. That institution and the class which especially cherishes it are not confined to the States which have revolted, but they exist in the eight other so-called slave States; and these, for that reason, sympathize profoundly with the revolutionary movement. Sympathies and apprehensions of this kind have, for an indefinite period, entered into the bases of political parties throughout the whole country, and thus considerable masses of persons, whose ultimate loyalty could not be doubted, were found, even in the free States, either justifying, excusing, or palliating the movement towards disunion in the seceding States. The party which was dominant in the federal government during the period of the last administration embraced, practically, and held in unreserved communion, all disunionists and sympathizers. It held the executive administration. The Secretaries of the Treasury, War, and the Interior were disunionists. The same party held a large majority of the Senate, and nearly equally divided the House of Representatives. Disaffection lurked, if it did not openly avow itself, in every department and in every bureau, in every regiment and in every ship-of-war; in the post office and in the custom-house, and in every legation and consulate from London to Calcutta. Of four thousand four hundred and seventy officers in the public service, civil and military, two thousand one hundred and fifty-four were representatives of States where the revolutionary movement was openly advocated and urged, even if not actually organized. Our system being so completely federative and representative, no provision had ever been made, perhaps none ever could have been made, to anticipate this strange and unprecedented disturbance. The people were shocked by successive and astounding developments of what the statute

book distinctly pronounced to be sedition and treason, but the magistracy was demoralized and the laws were powerless. By degrees, however, a better sentiment revealed itself. The executive administration hesitatingly, in part, reformed itself. The capital was garrisoned; the new President came in unresisted, and soon constituted a new and purely loyal administration. They found the disunionists perseveringly engaged in raising armies and laying sieges around national fortifications situate within the territory of the disaffected States. The federal marine seemed to have been scattered everywhere except where its presence was necessary, and such of the military forces as were not in the remote States and Territories were held back from activity by vague and mysterious armistices which had been informally contracted by the late President, or under his authority, with a view to postpone conflict until impracticable concessions to disunion should be made by Congress, or at least until the waning term of his administration should reach its appointed end. Commissioners who had been sent by the new confederacy were already at the capital demanding recognition of its sovereignty and a partition of the national property and domain. The treasury, depleted by robbery and speculation, was exhausted, and the public credit was prostrate.

It would be very unjust to the American people to suppose that this singular and unhappy condition of things indicated any extreme favor or toleration of the purpose of a permanent dissolution of the Union. On the contrary, disunion at the very first took on a specious form, and it afterwards made its way by ingenious and seductive devices. It inculcated that the Union is a purely voluntary connexion, founded on the revocable assent of the several States; that secession, in the case of great popular discontent, would induce consultation and reconciliation, and so that revolution, instead of being war, is peace, and disunion, instead of being dissolution, is union. Though the ordinances of secession in the seceding States were carried through impetuously, without deliberation, and even by questionable majorities, yet it was plausibly urged that the citizens who had remained loyal to the Union might wisely acquiesce, so as ultimately to moderate and control the movement, and in any event that if war should ensue, it would become a war of sections, and not a social war, of all others, and especially in those States, the form of war most seriously to be deprecated. It being assumed that peaceful separation is in harmony with the Constitution, it was urged as a consequence that coercion would, therefore, be unlawful and tyrannical; and this principle was even pushed so far as to make the defensive retaining by the federal government of its position within the limits of the seceding States, or where it might seem to overawe or intimidate them, an act of such forbidden coercion. Thus it happened that for a long time, and in very extensive districts even, fidelity to the Union manifested itself by demanding a surrender of its powers and possessions, and compromises with or immunity towards those who were engaged in overthrowing it by armed force. Disunion under these circumstances rapidly matured. On the other hand, the country was bewildered. For the moment even loyal citizens fell naturally into the error of inquiring how the fearful state of things had come about, and who was responsible for it, thus inviting a continuance of the controversy out of which it had arisen, rather than rallying to the duty of arresting it. Disunion, sustained only by passion, made haste to attain its end. Union, on the contrary, required time, because it could only appeal to reason, and reason could not be heard until excitement should in some degree subside. Military spirit is an element always ready for revolution. It has a fuller development in the disaffected than in the loyal States. Thousands of men have already banded

themselves as soldiers in the cause of disunion, while the defenders of the Union, before resorting to arms, everywhere wait to make sure that it cannot be otherwise preserved. Even this cautious and pacific, yet patriotic disposition has been misunderstood and perverted by faction to encourage disunion.

I believe that I have thus presented the disunion movement dispassionately and without misrepresenting its proportions or its character.

You will hardly be asked by responsible statesmen abroad why has not the new administration already suppressed the revolution. Thirty-five days are a short period in which to repress, chiefly by moral means, a movement which is so active while disclosing itself throughout an empire.

You will not be expected to promulgate this history, or to communicate it to the British government, but you are entitled to the President's views, which I have thus set forth in order to enable you to understand the policy which he proposes to pursue, and to conform your own action to it.

The President neither looks for nor apprehends any actual and permanent dismemberment of the American Union, especially by a line of latitude. The improvement of our many channels of intercourse, and the perfection of our scheme of internal exchanges, and the incorporation of both of them into a great system of foreign commerce, concurring with the gradual abatement of the force of the only existing cause of alienation, have carried us already beyond the danger of disunion in that form. The so-called Confederate States, therefore, in the opinion of the President, are attempting what will prove a physical impossibility. Necessarily they build the structure of their new government upon the same principle by which they seek to destroy the Union, namely, the right of each individual member of the confederacy to withdraw from it at pleasure and in peace. A government thus constituted could neither attain the consolidation necessary for stability, nor guaranty any engagements it might make with creditors or other nations. The movement, therefore, in the opinion of the President, tends directly to anarchy in the seceding States, as similar movements in similar circumstances have already resulted in Spanish America, and especially in Mexico. He believes, nevertheless, that the citizens of those States, as well as the citizens of the other States, are too intelligent, considerate, and wise to follow the leaders to that disastrous end. For these reasons he would not be disposed to reject a cardinal dogma of theirs, namely, that the federal government could not reduce the seceding States to obedience by conquest, even although he were disposed to question that proposition. But, in fact, the President willingly accepts it as true. Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the State. This federal republican system of ours is of all forms of government the very one which is most unfitted for such a labor. Happily, however, this is only an imaginary defect. The system has within itself adequate, peaceful, conservative, and recuperative forces. Firmness on the part of the government in maintaining and preserving the public institutions and property, and in executing the laws where authority can be exercised without waging war, combined with such measures of justice, moderation, and forbearance as will disarm reasoning opposition, will be sufficient to secure the public safety until returning reflection, concurring with the fearful experience of social evils, the inevitable fruits of faction, shall bring the recusant members cheerfully back into the family, which, after all, must prove their best and happiest, as it undeniably is their most natural home. The Constitution of the United States provides for that return by authorizing Congress, on application to be made by a certain majority of the States, to assemble a national convention, in which

the organic law can, if it be needful, be revised so as to remove all real obstacles to a reunion, so suitable to the habits of the people, and so eminently conducive to the common safety and welfare.

Keeping that remedy steadily in view, the President, on the one hand, will not suffer the federal authority to fall into abeyance, nor will he, on the other, aggravate existing evils by attempts at coercion which must assume the form of direct war against any of the revolutionary States. If, while he is pursuing this course, commended as it is by prudence as well as patriotism, the scourge of civil war for the first time in our history must fall upon our country during the term of his administration, that calamity will then have come through the agency, not of the government, but of those who shall have chosen to be its armed, open, and irreconcilable enemies; and he will not suffer himself to doubt that when the value of the imperilled Union shall be brought in that fearful manner home to the business and the bosoms of the American people, they will, with an unanimity that shall vindicate their wisdom and their virtue, rise up and save it.

It does not, however, at all surprise the President that the confidence in the stability of the Union, which has been heretofore so universally entertained, has been violently shocked both at home and abroad. Surprise and fear invariably go together. The period of four months which intervened between the election which designated the head of the new administration and its advent, as has already been shown, assumed the character of an interregnum, in which not only were the powers of the government paralyzed, but even its resources seemed to disappear and be forgotten.

Nevertheless, all the world know what are the resources of the United States, and that they are practically unencumbered as well as inexhaustible. It would be easy, if it would not seem invidious, to show that whatever may be the full development of the disunion movement, those resources will not be seriously diminished, and that the revenues and credit of the Union, unsurpassed in any other country, are adequate to every emergency that can occur in our own. Nor will the political commotions which await us sensibly disturb the confidence of the people in the stability of the government. It has been necessary for us to learn, perhaps the instruction has not come too soon, that vicissitudes are incident to our system and our country, as they are to all others. The panic which that instruction naturally produced is nearly past. What has hitherto been most needful for the reinvigoration of authority is already occurring. The aiders, abettors, and sympathizers with disunion, partly by their own choice and partly through the exercise of the public will, are falling out from the civil departments of the government as well as from the army and the navy. The national legislature will no longer be a distracted council. Our representatives in foreign courts and ports will henceforth speak only the language of loyalty to their country, and of confidence in its institutions and its destiny.

It is much to be deplored that our representatives are to meet abroad agents of disunion, seeking foreign aid to effect what, unaided, is already seen to be desperate. You need not be informed that their success in Great Britain would probably render their success easy elsewhere. The President does not doubt that you fully appreciate the responsibility of your mission. An honored ancestor of yours was the first to represent your whole country, after its independence was established, at the same court to which you now are accredited. The President feels assured that it will happen through no want of loyalty or of diligence on your part if you are to be the last to discharge that trust. You will have this great advantage, that from the hour when that country, so dear to us all, first challenged the notice of nations, until now, it has continually grown in their sympathy and reverence.

Before considering the arguments you are to use, it is important to indicate those which you are not to employ in executing that mission:

First. The President has noticed, as the whole American people have, with much emotion, the expressions of good will and friendship toward the United States, and of concern for their present embarrassments, which have been made on apt occasions by her Majesty and her ministers. You will make due acknowledgment for these manifestations, but at the same time you will not rely on any mere sympathies or national kindness. You will make no admissions of weakness in our Constitution, or of apprehension on the part of the government. You will rather prove, as you easily can, by comparing the history of our country with that of other states, that its Constitution and government are really the strongest and surest which have ever been erected for the safety of any people. You will in no case listen to any suggestions of compromise by this government, under foreign auspices, with its discontented citizens. If, as the President does not at all apprehend, you shall unhappily find her Majesty's government tolerating the application of the so-called seceding States, or wavering about it, you will not leave them to suppose for a moment that they can grant that application and remain the friends of the United States. You may even assure them promptly in that case that if they determine to recognize, they may at the same time prepare to enter into alliance with the enemies of this republic. You alone will represent your country at London, and you will represent the whole of it there. When you are asked to divide that duty with others, diplomatic relations between the government of Great Britain and this government will be suspended, and will remain so until it shall be seen which of the two is most strongly entrenched in the confidence of their respective nations and of mankind.

You will not be allowed, however, even if you were disposed, as the President is sure you will not be, to rest your opposition to the application of the Confederate States on the ground of any favor this administration, or the party which chiefly called it into existence, proposes to show to Great Britain, or claims that Great Britain ought to show to them. You will not consent to draw into debate before the British government any opposing moral principles which may be supposed to lie at the foundation of the controversy between those States and the federal Union.

You will indulge in no expressions of harshness or disrespect, or even impatience, concerning the seceding States, their agents, or their people. But you will, on the contrary, all the while remember that those States are now, as they always heretofore have been, and, notwithstanding their temporary self-delusion, they must always continue to be, equal and honored members of this federal Union, and that their citizens throughout all political misunderstandings and alienations still are and always must be our kindred and countrymen. In short, all your arguments must belong to one of three classes, namely: First. Arguments drawn from the principles of public law and natural justice, which regulate the intercourse of equal States. Secondly. Arguments which concern equally the honor, welfare, and happiness of the discontented States, and the honor, welfare, and happiness of the whole Union. Thirdly. Arguments which are equally conservative of the rights and interests, and even sentiments of the United States, and just in their bearing upon the rights, interests, and sentiments of Great Britain and all other nations.

We freely admit that a nation may, and even ought, to recognize a new State which has absolutely and beyond question effected its independence, and permanently established its sovereignty; and that a recognition in such a case affords no just cause of offence to the government of the country

from which the new State has so detached itself. On the other hand, we insist that a nation that recognizes a revolutionary State, with a view to aid its effecting its sovereignty and independence, commits a great wrong against the nation whose integrity is thus invaded, and makes itself responsible for a just and ample redress.

I will not stop to inquire whether it may not sometimes happen that an imperial government or even a federative one may not so oppress or aggrieve its subjects in a province or in a State as to justify intervention on the plea of humanity. Her Majesty's government, however, will not make a pretence that the present is such a case. The United States have existed under their present form of government seventy and more years, and during all that time not one human life has been taken in forfeiture for resistance to their authority. It must be the verdict of history that no government so just, so equal, and so humane, has ever elsewhere existed. Even the present disunion movement is confessedly without any better cause than an apprehension of dangers which, from the very nature of the government, are impossible; and speculations of aggressions, which those who know the physical and social arrangements of this continent must see at once are fallacious and chimerical.

The disunionists will, I am sure, take no such ground. They will appeal, not to the justice, or to the magnanimity, but to the cupidity and caprice of Great Britain.

It cannot need many words to show that even in that form their appeal ought to be promptly dismissed. I am aware that the revenue law lately passed by Congress is vehemently denounced in Great Britain. It might be enough to say on that subject that as the United States and Great Britain are equals in dignity, and not unequal in astuteness in the science and practice of political economy, the former have good right to regard only their own convenience, and consult their own judgment in framing their revenue laws. But there are some points in this connexion which you may make without compromising the self-respect of this government.

In the circumstances of the present case, it is clear that a recognition of the so-called Confederate nations must be deemed equivalent to a deliberate resolution by her Majesty's government that this American Union, which has so long constituted a sovereign nation, shall be now permanently dissolved, and cease to exist forever. The excuse for this resolution, fraught, if effectual, with fearful and enduring consequences, is a change in its revenue laws—a change which, because of its very nature, as well as by reason of the ever-changing course of public sentiment, must necessarily be temporary and ephemeral. British censors tell us that the new tariff is unwise for ourselves. If so, it will speedily be repealed. They say it is illiberal and injurious to Great Britain. It cannot be so upon her principles without being also injurious to ourselves, and in that case it will be promptly repealed. Besides, there certainly are other and more friendly remedies for foreign legislation that is injurious without premeditated purpose of injury, which a magnanimous government will try before it deliberately seeks the destruction of the offended nation.

The application of the so-called Confederate States, in the aspect now under consideration, assumes that they are offering, or will offer, more liberal commercial facilities than the United States can or will be disposed to concede. Would it not be wise for Great Britain to wait until those liberal facilities shall be definitely fixed and offered by the Confederate States, and then to wait further and see whether the United States may not accord facilities not less desirable?

The union of these States seventy years ago established perfectly free

trade between the several States, and this, in effect, is free trade throughout the largest inhabitable part of North America. During all that time, with occasional and very brief intervals, not affecting the result, we have been constantly increasing in commercial liberality towards foreign nations. We have made that advance necessarily, because, with increasing liberality, we have at the same time, owing to controlling causes, continually augmented our revenues and increased our own productions. The sagacity of the British government cannot allow it to doubt that our natural course hereafter in this respect must continue to be the same as heretofore.

The same sagacity may be trusted to decide, first, whether the so-called Confederate States, on the emergency of a military revolution, and having no other sources of revenue than duties on imports and exports levied within the few ports they can command without a naval force, are likely to be able to persevere in practicing the commercial liberality they proffer as an equivalent for recognition. Manifestly, moreover, the negotiation which they propose to open with Great Britain implies that peace is to be preserved while the new commerce goes on. The sagacity of her Majesty's government may be trusted to consider whether that new government is likely to be inaugurated without war, and whether the commerce of Great Britain with this country would be likely to be improved by flagrant war between the southern and northern States.

Again, even a very limited examination of commercial statistics will be sufficient to show that while the staples of the disaffected States do, indeed, as they claim, constitute a very important portion of the exports of the United States to European countries, a very large portion of the products and fabrics of other regions consumed in those States are derived, and must continue to be derived, not from Europe, but from the northern States, while the chief consumption of European productions and fabrics imported into the United States takes place in these same States. Great Britain may, if her government think best, by modifying her navigation laws, try to change these great features of American commerce; but it will require something more than acts of the British Parliament and of the proposed revolutionary Congress to modify a commerce that takes its composite character from all the various soils and climates of a continent, as well as from the diversified institutions, customs and dispositions of the many communities which inhabit it.

Once more: All the speculations which assume that the revenue law recently passed by Congress will diminish the consumption of foreign fabrics and productions in the United States are entirely erroneous. The American people are active, industrious, inventive, and energetic, but they are not penurious or sordid. They are engaged with wonderful effect in developing the mineral, forest, agricultural and pastoral resources of a vast and, practically, new continent. Their wealth, individual as well as public, increases every day in a general sense, irrespective of the revenue laws of the United States, and every day also the habit of liberal—not to say profuse—expenditure grows upon them. There are changes in the nature and character of imported productions which they consume, but practically no decline in the quantity and value of imports.

It remains to bring out distinctly a consideration to which I have already adverted. Great Britain has within the last forty-five years changed character and purpose. She has become a power for production, rather than a power for destruction. She is committed, as it seems to us, to a policy of industry, not of ambition; a policy of peace, not of war. One has only to compare her present domestic condition with that of any former period to see that this new career on which she has entered is as wise as it is

humane and beneficent. Her success in this career requires peace throughout the civilized world, and nowhere so much as on this continent. Recognition by her of the so-called Confederate States would be intervention and war in this country. Permanent dismemberment of the American Union in consequence of that intervention would be perpetual war—civil war. The new confederacy which in that case Great Britain would have aided into existence must, like any other new state, seek to expand itself northward, westward, and southward. What part of this continent or of the adjacent islands would be expected to remain in peace?

The President would regard it as inconsistent with his habitually high consideration for the government and people of Great Britain to allow me to dwell longer on the merely commercial aspects of the question under discussion. Indeed he will not for a moment believe that, upon consideration of merely financial gain, that government could be induced to lend its aid to a revolution designed to overthrow the institutions of this country, and involving ultimately the destruction of the liberties of the American people.

To recognize the independence of a new state, and so favor, possibly determine, its admission into the family of nations, is the highest possible exercise of sovereign power, because it affects in any case the welfare of two nations, and often the peace of the world. In the European system this power is now seldom attempted to be exercised without invoking a consultation or congress of nations. That system has not been extended to this continent. But there is even a greater necessity for prudence in such cases in regard to American States than in regard to the nations of Europe. A revolutionary change of dynasty, or even a disorganization and recombination of one or many States, therefore, do not long or deeply affect the general interests of society, because the ways of trade and habits of society remain the same. But a radical change effected in the political combinations existing on the continent, followed, as it probably would be, by moral convulsions of incalculable magnitude, would threaten the stability of society throughout the world.

Humanity has indeed little to hope for if it shall, in this age of high improvement, be decided without a trial that the principle of international law which regards nations as moral persons, bound so to act as to do to each other the least injury and the most good, is merely an abstraction too refined to be reduced into practice by the enlightened nations of Western Europe. Seen in the light of this principle, the several nations of the earth constitute one great federal republic. When one of them casts its suffrages for the admission of a new member into that republic, it ought to act under a profound sense of moral obligation, and be governed by considerations as pure, disinterested, and elevated as the general interest of society and the advancement of human nature.

The British empire itself is an aggregation of divers communities which cover a large portion of the earth and embrace one-fifth of its entire population. Some, at least, of these communities are held to their places in that system by bonds as fragile as the obligations of our own federal Union. The strain will some time come which is to try the strength of these bonds, though it will be of a different kind from that which is trying the cords of our confederation. Would it be wise for her Majesty's government, on this occasion, to set a dangerous precedent, or provoke retaliation? If Scotland and Ireland are at last reduced to quiet contentment, has Great Britain no dependency, island, or province left exposed along the whole circle of her empire, from Gibraltar through the West Indies and Canada till it begins again on the southern extremity of Africa?

The President will not dwell on the pleasing recollection that Great Britain, not yet a year ago, manifested by marked attention to the United States her desire for a cordial reunion which, all ancient prejudices and passions being buried, should be a pledge of mutual interest and sympathy forever thereafter. The United States are not indifferent to the circumstances of common descent, language, customs, sentiments, and religion, which recommend a closer sympathy between themselves and Great Britain than either might expect in its intercourse with any other nation. The United States are one of many nations which have sprung from Great Britain herself. Other such nations are rising up in various parts of the globe. It has been thought by many who have studied the philosophy of modern history profoundly, that the success of the nations thus deriving their descent from Great Britain might, through many ages, reflect back upon that kingdom the proper glories of its own great career. The government and people of Great Britain may mistake their commercial interests, but they cannot become either unnatural or indifferent to the impulses of an undying ambition to be distinguished as the leaders of the nations in the ways of civilization and humanity.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Mr. Dallas to Mr. Seward.

[Extracts.]

No. 325.]

LEGATION OF THE UNITED STATES,
London, March 22, 1861.

SIR: I have recently had the honor to receive your despatches, numbered 304 and 305.

Having noticed that the despatch No. 304, bearing date the 28th of February, respecting the newly-formed confederacy of seceded States, was in harmony as well with the views enunciated in the inaugural address on the 4th instant as with those of the presidential message of December last, I lost no time in seeking an interview with her Majesty's principal secretary of state for foreign affairs, and in stating the opposition which I am in that despatch instructed to make to any recognition by the Queen of England of the independence of those who have thus attempted to throw off their federal obligations.

The necessary opportunity was accorded to me on the day after the receipt of the despatch, yesterday. Lord John Russell then listened to the communication as one he expected; though on its purport the British cabinet, if they had interchanged opinions at all, had reached no definite conclusion as to their proper course of action.

I took the liberty to inquire whether any one professing to represent the southern republic had approached this government on the subject, and his lordship, with prompt frankness, assured me that he felt no hesitation in answering in the negative, adding that he had been shown a private letter from which he inferred that accredited ministers or commissioners, authorized to negotiate for the recognition, would shortly be sent by the provisional authorities of Montgomery.

I have the honor to be, sir, your most obedient servant,

G. M. DALLAS.

THE HON. the SECRETARY OF STATE, *Washington.*

Mr. Dallas to Mr. Seward.

[Extract.]

No. 329.]

LEGATION OF THE UNITED STATES,
London, April 5, 1861.

SIR: I have the honor to acknowledge the receipt of your despatches, numbered 306 and 307, and a circular, dated the 9th of March, 1861, respecting the probable efforts of persons claiming to represent a southern provisional government to obtain the recognition of their independence by Great Britain.

Respecting this last-mentioned subject, I addressed yesterday, as soon as your instruction was received, a note to her Majesty's principal secretary of state for foreign affairs requesting an early interview, deeming it not impossible that I might be enabled to send you something by this steamer. My note, however, is yet unanswered, owing, I presume, to the absence of Lord John Russell from town. The commissioners from the new confederacy have not yet arrived, and may not arrive until late in this month. You were apprised by my despatch of the 22d ultimo (No. 325) that, on the receipt from the department of your predecessors, No. 304, I had lost no time in placing the matter properly before this government. Your own views will be communicated in greater fullness when the opportunity is allowed me.

* * * * *

I have the honor to be, sir, your obedient servant,
G. M. DALLAS.

The Hon. WILLIAM H. SEWARD, *Secretary of State*

Mr. Dallas to Mr. Seward.

No. 330.]

LEGATION OF THE UNITED STATES,
London, April 9, 1861.

SIR: Referring to my despatch of the 5th instant, (No. 329,) I have now the honor to state that Lord John Russell accorded me an interview at the foreign office yesterday, and enabled me to submit fully to his consideration the representations of your circular, with the inaugural address of the President.

We conversed for some time on the question of recognizing the alleged southern confederacy, of which no representative has yet appeared, and may not appear until the end of the month.

His lordship assured me with great earnestness that there was not the slightest disposition in the British government to grasp at any advantage which might be supposed to arise from the unpleasant domestic differences in the United States, but, on the contrary, that they would be highly gratified if those differences were adjusted and the Union restored to its former unbroken position.

I pressed upon him, in concluding, if that were the case—and I was quite convinced that it was—how important it must be that this country and France should abstain, at least for a considerable time, from doing what, by encouraging groundless hopes, would widen a breach still thought capable of being closed.

He seemed to think the matter not ripe for decision one way or the other,

and remarked that what he had said was all that at present it was in his power to say. The coming of my successor, Mr. Adams, looked for from week to week, would doubtless be regarded as the appropriate and natural occasion for finally discussing and determining the question. In the intermediate time whatever of vigilance and activity may be necessary shall, of course, and as a high duty, be exerted.

English opinion tends rather, I apprehend, to the theory that a peaceful separation may work beneficially for both groups of States and not injuriously affect the rest of the world. They cannot be expected to appreciate the weakness, discredit, complications, and dangers which we instinctively and justly ascribe to disunion.

I beg to add that a phase of this subject will be introduced in the House of Commons to-night by Lord Alfred Churchill, and that on the 15th instant a motion favoring the recognition will be pressed by Mr. W. H. Gregory, member for Galway.

I have the honor to be, sir, your most obedient servant,

G. M. DALLAS.

Hon. WILLIAM H. SEWARD,
Secretary of State.

PARLIAMENTARY NOTICES.

HOUSE OF LORDS, *Tuesday, April 9.*

Blackpool and Lytham railroad bill.

ORDERS OF THE DAY.

Middleton's estate.—Standing order No. 141 to be considered, in order to its being dispensed with, on the petition for a private bill.

Lunacy regulation bill.—Committee.

Queensland government bill.—Committee.

HOUSE OF COMMONS, *Tuesday, April 9.*

NOTICES OF MOTIONS.

Lord STANLEY.—To ask the under secretary of state for war what steps have been or are being taken to abolish purchase in the army above the rank of major, as recommended by the commission of 1856.

Lord ALFRED CHURCHILL.—To ask the secretary of state for foreign affairs whether it is the intention of her Majesty's government to recognize the Confederate States of America without a guarantee that the flag of that confederation shall not be made subservient to the slave trade, and whether it is the intention of her Majesty's government to invite a conference of the European powers on the subject, so as to prevent the African slave trade being reopened or carried on under the flag of the said confederation.

Mr. Seward to Mr. Adams.

No. 4.]

DEPARTMENT OF STATE,
Washington, April 27, 1861.

SIR: A despatch has just been received from Mr. Dallas, dated the 9th of April instant, the record of which (No. 330) you doubtless will find in the archives of the legation when you shall have arrived at London.

In that paper Mr. Dallas states that he had had a conversation with Lord John Russell, the minister of foreign affairs of her Britannic Majesty's government, on the subject of a protest against any recognition of the so-called Confederate States of America, the protest having been presented to him by Mr. Dallas, in obedience to a circular letter of instructions sent to him from this department, under the date of the 9th ultimo.

Mr. Dallas represents that his lordship assured him, with great earnestness, that there was not the slightest disposition in the British government to grasp at any advantage which might be supposed to arise from the unpleasant domestic differences in the United States; but, on the contrary, that they would be highly gratified if those differences were adjusted, and the Union restored to its former unbroken position.

This, by itself, would be very gratifying to the President. Mr. Dallas, however, adds that he endeavored to impress upon his lordship how important it must be that Great Britain and France should abstain, at least for a considerable time, from doing what, by encouraging groundless hopes, would widen a breach still thought capable of being closed; but that his lordship seemed to think the matter not ripe for decision one way or the other, and remarked that what he had already said was all that at present it was in his power to say.

When you shall have read the instructions at large which have been sent to you, you will hardly need to be told that these last remarks of his lordship are by no means satisfactory to this government. Her Britannic Majesty's government is at liberty to choose whether it will retain the friendship of this government by refusing all aid and comfort to its enemies, now in flagrant rebellion against it, as we think the treaties existing between the two countries require, or whether the government of her Majesty will take the precarious benefits of a different course.

You will lose no time in making known to her Britannic Majesty's government that the President regards the answer of his lordship as possibly indicating a policy that this government would be obliged to deem injurious to its rights and derogating from its dignity.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

C. F. ADAMS, Esq.,
&c., &c., &c.

Mr. Dallas to Mr. Seward.

No. 333.]

LEGATION OF THE UNITED STATES,
London, May 2, 1861.

SIR: In my No. 329 I mentioned having received your Nos. 306 and 307, and "a circular of the 9th of March, 1861." As I have got no despatch from you, numbered 308, it is probable that this "circular" was considered at the department as representing that number in the series. I have now to acknowledge your several despatches, numbered, respectively, 309, 310, 311, and 312, whose contents have had my careful and prompt attention.

You have doubtless noticed that the motion of Mr. Gregory, in the House of Commons, on the recognition of the southern confederation—which motion I mentioned at the conclusion of my No. 330—underwent postponement from the 16th to the 30th ultimo, and has again been deferred a fortnight, for the reasons stated in the extract from the "Times" newspaper of the 30th April, hereto annexed.

The solicitude felt by Lord John Russell as to the effect of certain measures represented as likely to be adopted by the President induced him to request me to call at his private residence yesterday. I did so. He told me that the three representatives of the southern confederacy were here; that he had not seen them, but was not unwilling to do so, *unofficially*; that there existed an understanding between this government and that of France which would lead both to take the same course as to recognition, whatever that course might be; and he then referred to the rumor of a meditated blockade of southern ports and their discontinuance as ports of entry—topics on which I had heard nothing, and could therefore say nothing. But as I informed him that Mr. Adams had apprised me of his intention to be on his way hither, in the steamship "Niagara," which left Boston on the 1st May, and that he would probably arrive in less than two weeks, by the 12th or 15th instant, his lordship acquiesced in the expediency of disregarding mere rumor, and waiting the full knowledge to be brought by my successor.

The motion, therefore, of Mr. Gregory may be further postponed, at his lordship's suggestion.

I have the honor to be, sir, your most obedient servant,

G. M. DALLAS.

HON. WILLIAM H. SEWARD,
Secretary of State.

[From the London Times, April 30, 1861.]

AMERICA.—In reply to a question from Mr. W. E. Foster, Mr. Gregory stated that in deference to the expressed opinion of the foreign secretary, who had informed him that a discussion at the present moment upon the expediency of a prompt recognition of the southern confederation of America would be embarrassing to the public service, and in deference, also, to the wishes of several honorable friends of his, he should postpone for a fortnight the motion which stood in his name for to-morrow night. The noble lord at the head of the foreign office believed that the motion might then be brought forward without inconvenience.

[From the London Times, May 3, 1861.]

AMERICA.—SOUTHERN LETTERS OF MARQUE.—Mr. J. Ewart asked the secretary of state for foreign affairs whether, seeing the possibility of privateering being permitted and encouraged by the southern confederation of the States of America, her Majesty's government had placed a sufficient naval force, or intended to increase it, in the Gulf of Mexico, with a view to protect British shipping and British property on board of American ships; and if privateers, sailing under the flag of an unrecognized power, would be dealt with as pirates.

Lord J. Russell said: In answer to the first part of the question of the honorable gentleman, I beg to say that her Majesty's government has directed that a naval force, for the protection of British shipping, should be sent to the coast of America. As to the latter part of the question, I will state to the house that the government has, from day to day, received the most lamentable accounts of the progress of the war in the States of America. Her Majesty's government heard the other day that the Confederate States have issued letters of marque; and to-day we have heard that it is intended there shall be a blockade of all the ports of the southern States. As to the

general provisions of the law of nations on these questions, some of the points are so new as well as so important that they have been referred to the law officers of the crown for their opinion in order to guide the government in its instructions both to the English minister in America and the commander of the naval squadron. Her Majesty's government has felt that it was its duty to use every possible means to avoid taking any part in the lamentable contest now raging in the American States. (Hear, hear.) And nothing but the imperative duty of protecting British interests, in case they should be attacked, justifies the government in at all interfering. We have not been involved in any way in that contest by any act or giving any advice in the matter, and, for God's sake, let us if possible keep out of it! (Cheers.)

Mr. Adams to Mr. Seward.

[Extracts.]

No. 1.]

LEGATION OF THE UNITED STATES,
London, May 17, 1861.

SIR: I have the satisfaction to announce my safe arrival at this place on Monday evening, the 13th of this month. The steamer reached Liverpool at eleven in the morning, where I was received with the utmost kindness, and strongly solicited to remain at least one day. A large deputation of the American Chamber of Commerce waited upon me and delivered an address, to which I made a brief reply. Both have been printed in the newspapers, and I transmit a copy of the Times containing them. I could not fail to observe, in the course of these proceedings, the great anxiety and the fluctuating sentiment that prevail in regard to the probable issue of affairs in America. I could also perceive that my arrival had been expected with far more solicitude than I had anticipated. It was not disguised from me that a supposed community of interest in the cotton culture was weighing heavily in that city in favor of the disaffected; and that much misapprehension prevailed as to the relative position of parties in the United States, which it was of some consequence to dispel. To this end it had been the wish that I could have found it convenient to make a longer stay in the place.

Under other circumstances I might have so far deferred to these representations as to delay my departure for twenty-four hours. But, on the other hand, some incidental allusions to the state of things in London convinced me of the importance of losing no time on my way. Accordingly I took the next train in the afternoon, and was in a condition to proceed at once to business on the morning of Tuesday, the 14th. In the interval between my departure from Boston on the 1st and my arrival on the 14th, I discovered that some events had taken place deserving of attention. The agents of the so-called Confederate States had arrived, and, as it is supposed, through their instigation certain inquiries and motions had been initiated in Parliament for the purpose of developing the views of the ministry in regard to American affairs. I allude more particularly to the questions proposed by Mr. Gregory, of Galway, and to the motion of Mr. Horsfall, the member for Liverpool, touching the effect of the blockade proclaimed by the President against the southern ports. The answer given by Lord John Russell, in the proceedings of the 6th of May, will, of course, have attracted your attention long before these lines meet your eye. I need

not say that it excited general surprise, especially among those most friendly to the government of the United States. There seemed to be not a little precipitation in at once raising the disaffected States up to the level of a belligerent power, before it had developed a single one of the real elements which constitute military efficiency outside of its geographical limits. The case of the Greeks was by no means a parallel case, for the declaration had not been made until such time had intervened as was necessary to prove, by the very words quoted by Lord John Russell from the instructions of the British government, that the power was sufficient "to cover the sea with its cruisers." Whereas in the present instance there was no evidence to show as yet the existence of a single privateer afloat. The inference seemed almost inevitable that there existed a disposition at least not to chill the hopes of those who are now drawing the very breath of life only from the expectation of sympathy in Great Britain. Yet I am not quite prepared to say that there is just ground for the idea. On the contrary, I am led to believe, from the incidental discussion afterwards held in both houses, as well as from other information, that the language of Lord John Russell was viewed as not altogether sufficiently guarded, and that the ministry as a whole are not prepared to countenance any such conclusion.

There are still other reasons which occasion in me great surprise at the action of his lordship. I need not say that I was received by my predecessor, Mr. Dallas, with the greatest kindness and cordiality. I immediately learned from him that he had declined himself to enter into any discussions on the subject, because he knew that I was already on my way out, and that I should probably come fully possessed of the views of my government, and ready to communicate them freely to the authorities here. To this end he had already concerted with Lord John Russell the earliest possible measures for my presentation and for a conference with him. In regard to the ceremony, there were circumstances attending it which, in the precise posture of affairs, give it some significance. * * On Tuesday morning Mr. Dallas called on me to accompany him on his visit to Lord John Russell, at his house, at eleven o'clock. Great was our disappointment, however, to find that he had been suddenly called away, at an early hour, to visit his brother, the Duke of Bedford, at Woburn Abbey, who was very ill, and who actually died at two o'clock in the afternoon of that day. This, of course, has put an end to all further communication with him for the present. I very much regretted this circumstance, as I should have been glad to converse with him prior to the final action upon the proclamation which was adopted by the Privy Council, and which was issued in the Gazette on the very same day. A copy of that proclamation is to be found in the Times of the 15th of May, the same paper which I have already desired to transmit for another purpose. I submit it to your consideration without comment.

Feeling doubtful how the informal arrangement of Lord John Russell might have been affected by his sudden departure, I at once addressed to him the customary announcement of my arrival, and a request for an audience of her Majesty at an early day. This brought me immediate replies from the minister and from his secretary, Mr. Hammond, confirming the appointment of Thursday (yesterday) as the time for my presentation, while the latter gentleman notified me that in the absence of Lord John Russell Lord Palmerston would be in waiting at the palace at three o'clock to present me. At the same time Mr. Dallas received a similar notification, appointing the same hour and place for his audience of leave. This arrangement was fully carried out yesterday according to the programme. Mr. Dallas was introduced first, and took his leave, after which I presented my credentials, with a few words expressive of the desire of my government to

maintain the friendly relations existing between the two countries; and thus I became the recognized minister.

Thus an end is put to all the speculations which have been set afloat in some quarters for interested purposes touching the probable position of the minister of the United States at this court. I might add, that so far I have every reason to be fully satisfied with the reception which I have met with from everybody. Fortunately the news which came from the United States by the same steamer which brought me was calculated to dispel many of the illusions that had been industriously elaborated during the period of isolation of the city of Washington, and to confirm the faith of those who had permitted themselves to doubt whether all government in the United States was of any more cohesiveness than a rope of sand. Yet I cannot say that the public opinion is yet exactly what we would wish it. Much depends upon the course of things in the United States, and the firmness and energy made visible in the direction of affairs.

The morning papers contain a report of the debate in the House of Lords on the Queen's proclamation, to which I beg to call your particular attention. I cannot say that the tone of it is generally such as I could wish. There is undoubtedly a considerable influence at work here both in and out of the ministry which must be met and counteracted at as early a moment as practicable. Mr. Gregory yesterday gave notice of a postponement of the consideration of his motion until the 7th of June. The reason assigned is the situation of Lord John Russell. * * The same cause, however, which postpones this debate also delays my opportunities of conference with the minister. My wish has been to confer with him rather than with any of the subordinates, for reasons which will readily occur to you. Next week come the Whitsuntide holidays, and the adjournment of Parliament for ten days, during which little can be done with effect. I propose, nevertheless, at once to apply for a conference at as early a period as possible.

I have just received a visit from a Mr. Arrowsmith, who came on behalf of Mr. Cunard's Steamship Company, to know whether the government would desire any number of their steam vessels to further their operations of blockade. I said, in reply, that I had no instructions on that point, and could give no information, but that I was now writing and would communicate the proposal. Mr. Arrowsmith says that fifteen or twenty vessels could be furnished at a moment's notice, which, by preparations of cotton pressed between decks, could be made to sustain guns, and thus be efficient instruments in closing the southern ports.

I have the honor to be your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

P. S.—I have this moment received your despatches No. 3 and No. 4. They are of such importance that I immediately addressed a note to the foreign office requesting an early interview.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 10.]

DEPARTMENT OF STATE,

Washington, May 21, 1861.

Sir: This government considers that our relations in Europe have reached a crisis, in which it is necessary for it to take a decided stand, on which not

only its immediate measures, but its ultimate and permanent policy can be determined and defined. At the same time it neither means to menace Great Britain nor to wound the susceptibilities of that or any other European nation. That policy is developed in this paper.

The paper itself is not to be read or shown to the British secretary of state, nor are any of its positions to be prematurely, unnecessarily, or indiscreetly made known. But its spirit will be your guide. You will keep back nothing when the time arrives for its being said with dignity, propriety, and effect, and you will all the while be careful to say nothing that will be incongruous or inconsistent with the views which it contains.

Mr. Dallas, in a brief despatch of May 2, (No. 333,) tells us that Lord John Russell recently requested an interview with him on account of the solicitude which his lordship felt concerning the effect of certain measures represented as likely to be adopted by the President. In that conversation the British secretary told Mr. Dallas that the three representatives of the southern confederacy were then in London, that Lord John Russell had not yet seen them, but that he was not unwilling to see them unofficially. He further informed Mr. Dallas that an understanding exists between the British and French governments which would lead both to take one and the same course as to recognition. His lordship then referred to the rumor of a meditated blockade by us of southern ports, and a discontinuance of them as ports of entry. Mr. Dallas answered that he knew nothing on those topics, and therefore could say nothing. He added that you were expected to arrive in two weeks. Upon this statement Lord John Russell acquiesced in the expediency of waiting for the full knowledge you were expected to bring.

Mr. Dallas transmitted to us some newspaper reports of ministerial explanations made in Parliament.

You will base no proceedings on parliamentary debates further than to seek explanations, when necessary, and communicate them to this department.

The President regrets that Mr. Dallas did not protest against the proposed unofficial intercourse between the British government and the missionaries of the insurgents. It is due, however, to Mr. Dallas to say that our instructions had been given only to you and not to him, and that his loyalty and fidelity, too rare in these times, are appreciated.

Intercourse of any kind with the so-called commissioners is liable to be construed as a recognition of the authority which appointed them. Such intercourse would be none the less hurtful to us for being called unofficial, and it might be even more injurious, because we should have no means of knowing what points might be resolved by it. Moreover, unofficial intercourse is useless and meaningless if it is not expected to ripen into official intercourse and direct recognition. It is left doubtful here whether the proposed unofficial intercourse has yet actually begun. Your own antecedent instructions are deemed explicit enough, and it is hoped that you have not misunderstood them. You will, in any event, desist from all intercourse whatever, unofficial as well as official, with the British government, so long as it shall continue intercourse of either kind with the domestic enemies of this country. When intercourse shall have been arrested for this cause, you will communicate with this department and receive further directions.

Lord John Russell has informed us of an understanding between the British and French governments that they will act together in regard to our affairs. This communication, however, loses something of its value from the circumstance that the communication was withheld until after knowledge of the fact had been acquired by us from other sources. We know also another fact that has not yet been officially communicated to us, namely: That other European states are apprized by France and England

of their agreement, and are expected to concur with or follow them in whatever measures they adopt on the subject of recognition. The United States have been impartial and just in all their conduct towards the several nations of Europe. They will not complain, however, of the combination now announced by the two leading powers, although they think they had a right to expect a more independent, if not a more friendly course, from each of them. You will take no notice of that or any other alliance. Whenever the European governments shall see fit to communicate directly with us, we shall be, as heretofore, frank and explicit in our reply.

As to the blockade, you will say that by our own laws and the laws of nature, and the laws of nations, this government has a clear right to suppress insurrection. An exclusion of commerce from national ports which have been seized by insurgents, in the equitable form of blockade, is a proper means to that end. You will not insist that our blockade is to be respected, if it be not maintained by a competent force; but passing by that question as not now a practical or at least an urgent one, you will add that the blockade is now, and it will continue to be, so maintained, and therefore we expect it to be respected by Great Britain. You will add that we have already revoked the exequatur of a Russian consul who had enlisted in the military service of the insurgents, and we shall dismiss or demand the recall of every foreign agent, consular or diplomatic, who shall either disobey the federal laws or disown the federal authority.

As to the recognition of the so-called Southern Confederacy, it is not to be made a subject of technical definition. It is, of course, direct recognition to publish an acknowledgment of the sovereignty and independence of a new power. It is direct recognition to receive its ambassadors, ministers, agents or commissioners, officially. A concession of belligerent rights is liable to be construed as a recognition of them. No one of these proceedings will pass unquestioned by the United States in this case.

Hitherto, recognition has been moved only on the assumption that the so-called Confederate States are *de facto* a self-sustaining power. Now, after long forbearance, designed to sooth discontent and avert the need of civil war, the land and naval forces of the United States have been put in motion to repress insurrection. The true character of the pretended new State is at once revealed. It is seen to be a power existing in pronouncement only. It has never won a field. It has obtained no forts that were not virtually betrayed into its hands or seized in breach of trust. It commands not a single port on the coast nor any highway out from its pretended capital by land. Under these circumstances, Great Britain is called upon to intervene and give it body and independence by resisting our measures of suppression. British recognition would be British intervention, to create within our territory a hostile State by overthrowing this republic itself.

* * * * *

As to the treatment of privateers in the insurgent service, you will say that this is a question exclusively our own. We treat them as pirates. They are our own citizens, or persons employed by our citizens, preying on the commerce of our country. If Great Britain shall choose to recognize them as lawful belligerents, and give them shelter from our pursuit and punishment, the laws of nations afford an adequate and proper remedy.

Happily, however, her Britannic Majesty's government can avoid all these difficulties. It invited us in 1856 to accede to the declaration of the congress of Paris, of which body Great Britain was herself a member, abolishing privateering everywhere in all cases and forever. You already have our authority to propose to her our accession to that declaration. If she refuse it, it can only be because she is willing to become the patron of privateering when aimed at our devastation.

These positions are not elaborately defended now, because to vindicate them would imply a possibility of our waiving them.

We are not insensible of the grave importance of this occasion. We see how, upon the result of the debate in which we are engaged, a war may ensue between the United States and one, two, or even more European nations. War in any case is as exceptional from the habits as it is revolting from the sentiments of the American people. But if it come it will be fully seen that it results from the action of Great Britain, not our own; that Great Britain will have decided to fraternize with our domestic enemy either without waiting to hear from you our remonstrances and our warnings, or after having heard them. War in defence of national life is not immoral, and war in defence of independence is an inevitable part of the discipline of nations.

The dispute will be between the European and the American branches of the British race. All who belong to that race will especially deprecate it, as they ought. It may well be believed that men of every race and kindred will deplore it. A war not unlike it between the same parties occurred at the close of the last century. Europe atoned by forty years of suffering for the error that Great Britain committed in provoking that contest. If that nation shall now repeat the same great error, the social convulsions which will follow may not be so long, but they will be more general. When they shall have ceased, it will, we think, be seen, whatever may have been the fortunes of other nations, that it is not the United States that will have come out of them with its precious Constitution altered, or its honestly obtained dominions in any degree abridged. Great Britain has but to wait a few months, and all her present inconveniences will cease with all our own troubles. If she take a different course she will calculate for herself the ultimate, as well as the immediate consequences, and will consider what position she will hold when she shall have forever lost the sympathies and affections of the only nation on whose sympathies and affections she has a natural claim. In making that calculation she will do well to remember that in the controversy she proposes to open we shall be actuated by neither pride, nor passion, nor cupidity, nor ambition; but we shall stand simply on the principle of self-preservation, and that our cause will involve the independence of nations and the rights of human nature.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 2.]

LEGATION OF THE UNITED STATES,
London, May 21, 1861.

SIR: At the close of my last despatch I stated my purpose to ask an early interview with Lord John Russell. A note to that effect was immediately sent to the foreign office. An answer was received on Saturday morning, saying that his lordship would be happy to see me, if I would take the trouble to go out to Pembroke Lodge, at Richmond, where he is retired for the present, on Monday at twelve or one o'clock, or, if I preferred it, he would see me at one o'clock on that same day, (May 18.) Although it was approaching eleven o'clock when I got the answer, and the distance exceeds

nine miles from the city, I replied by accepting the earlier appointment, and was probably myself at the Lodge before he received my note.

Be this as it may, I found his lordship ready to receive me, so that I proceeded at once to business. After expressing the general feeling which I believed prevailing in the United States of good will towards Great Britain, and the confident expectations I had entertained, down to the period of my arrival, that these sentiments were fully reciprocated to my government on the part of the government here, I signified my sense of disappointment in not finding this quite so unequivocally manifested as I had hoped. There were now fewer topics of direct difference between the two countries than had probably existed at any preceding time, and even these had been withdrawn from discussion at this place to be treated on the other side of the water. I therefore came out here with little to do beyond the duty of preserving the relations actually existing from the risk of being unfavorably affected by the unfortunate domestic disturbances prevailing in my own country. It was not without pain that I was compelled to admit that from the day of my arrival I had felt in the proceedings of both houses of Parliament, in the language of her Majesty's ministers, and in the tone of opinion prevailing in private circles, more of uncertainty about this than I had before thought possible. This sentiment alone would have impelled me to solicit an early interview; but I was now come under a much stronger motive. I had just received a despatch from my government, based upon a letter from Mr. Dallas, of much earlier date than any of the matters to which I had alluded. In that letter he had reported a conversation with his lordship, the close of which had been deemed so unsatisfactory that I had been directed at once to seek for a further elucidation of his meaning. It was the desire of my government to learn whether it was the intention of her Majesty's ministers to adopt a policy which would have the effect to widen, if not to make irreparable, a breach which we believed yet to be entirely manageable by ourselves.

At this point his lordship replied by saying that there was no such intention. The clearest evidence of that was to be found in the assurance given by him to Mr. Dallas in the earlier part of the conversation referred to. With regard to the other portion, against which I understood him to intimate he had already heard from Lord Lyons that the President had taken exception, he could only say that he hardly saw his way to bind the government to any specific course, when circumstances beyond their agency rendered it difficult to tell what might happen. Should the insurgent States ultimately succeed in establishing themselves in an independent position, of the probability of which he desired to express no opinion, he presumed, from the general course of the United States heretofore, that they did not mean to require of other countries to pledge themselves to go further than they had been in the habit of going themselves. He therefore, by what he had said to Mr. Dallas, simply meant to say that they were not disposed in any way to interfere.

To this I replied by begging leave to remark that, so far as my government was concerned, any desire to interfere had never been imputed to Great Britain; but in her peculiar position it was deserving of grave consideration whether great caution was not to be used in adopting any course that might, even in the most indirect way, have an effect to encourage the hopes of the disaffected in America. It had now come to this, that without support from here, the people of the United States considered the termination of this difficulty as almost entirely a question of time. Any course adopted here that would materially change that calculation would inevitably raise the most unpleasant feelings among them. For independently of the absolute influence of Great Britain, admitted to be great, the effect of any supposed

inclination on her part could not fail to be extensive among the other nations of Europe. It was my belief that the insurgent States could scarcely hope for sympathy on this side of the Atlantic, if deprived of any prospect of it here. Hence anything that looked like a manifestation of it would be regarded among us as inevitably tending to develop an ultimate separation in America; and, whether intended or not, the impression made would scarcely be effaced by time. It was in this view that I must be permitted to express the great regret I had felt on learning the decision to issue the Queen's proclamation, which at once raised the insurgents to the level of a belligerent State, and still more the language used in regard to it by her Majesty's ministers in both houses of Parliament before and since. Whatever might be the design, there could be no shadow of doubt that the effect of these events had been to encourage the friends of the disaffected here. The tone of the press and of private opinion indicated it strongly. I then alluded more especially to the brief report of the lord chancellor's speech on Thursday last, in which he had characterized the rebellious portion of my country as a belligerent State, and the war that was going on as *justum bellum*.

To this his lordship replied that he thought more stress was laid upon these events than they deserved. The fact was that a necessity seemed to exist to define the course of the government in regard to the participation of the subjects of Great Britain in the impending conflict. To that end the legal questions involved had been referred to those officers most conversant with them, and their advice had been taken in shaping the result. Their conclusion had been that, as a question merely of *fact*, a war existed. A considerable number of the States, at least seven, occupying a wide extent of country, were in open resistance, whilst one or more of the others were associating themselves in the same struggle, and as yet there were no indications of any other result than a contest of arms more or less severe. In many preceding cases, much less formidable demonstrations had been recognized. Under such circumstances it seemed scarcely possible to avoid speaking of this in the technical sense as *justum bellum*, that is, a war of two sides, without in any way implying an opinion of its justice, as well as to withhold an endeavor, so far as possible, to bring the management of it within the rules of modern civilized warfare. This was all that was contemplated by the Queen's proclamation. It was designed to show the purport of existing laws, and to explain to British subjects their liabilities in case they should engage in the war. And however strongly the people of the United States might feel against their enemies, it was hardly to be supposed that in practice they would now vary from their uniformly humane policy heretofore in endeavoring to assuage and mitigate the horrors of war.

To all which I answered that under other circumstances I should be very ready to give my cheerful assent to this view of his lordship's. But I must be permitted frankly to remark that the action taken seemed, at least to my mind, a little more rapid than was absolutely called for by the occasion. It might be recollected that the new administration had scarcely had sixty days to develop its policy; that the extent to which all departments of the government had been demoralized in the preceding administration was surely understood here, at least in part; that the very organization upon which any future action was to be predicated was to be renovated and purified before a hope could be entertained of energetic and effective labor. The consequence had been that it was but just emerging from its difficulties, and beginning to develop the power of the country to cope with this rebellion, when the British government took the initiative, and decided practically that it is a struggle of two sides. And furthermore, it pronounced the insurgents to be a belligerent State before they had ever shown their capacity

to maintain any kind of warfare whatever, except within one of their own harbors, and under every possible advantage. It considered them a marine power before they had ever exhibited a single privateer on the ocean. I said that I was not aware that a single armed vessel had yet been issued from any port under the control of these people. Surely this was not the case in the instance which had been relied upon in his speech by his lordship as authority for the present action. There the Greeks, however small as a people, had long been actively and effectually waging war, before the interposition of Great Britain, and, to use the language of the government, as quoted by himself, had "covered the sea with cruisers." It did seem to me therefore as if a little more time might have been taken to form a more complete estimate of the relative force of the contending parties, and of the probabilities of any long drawn issue. And I did not doubt that the view taken by me would be that substantially taken both by the government and the people of the United States. They would inevitably infer the existence of an intention more or less marked to extend the struggle. For this reason it was that I made my present application to know whether such a design was or was not entertained. For in the alternative of an affirmative answer it was as well for us to know it, as I was bound to acknowledge in all frankness that in that contingency I had nothing further left to do in Great Britain. I said this with regret, as my own feelings had been and were of the most friendly nature.

His lordship replied by an assurance that he participated in those feelings; neither did he see the action that had been thus far taken at all in the light in which I saw it. He believed that the United States, in their own previous history, had furnished examples of action taken quite as early as that now complained of. He instanced two cases. The first I do not now remember, for it seemed to me not important at the time; the other was the insurrection in Hungary under Kossuth, at which period, he believed, they had gone so far as actually to send an agent to that country with a view to recognition, and that to the great dissatisfaction and against the remonstrances of Austria.

I replied only to the second case, by remarking that the incidents attending that affair were not fresh in my mind, neither was I sure that I ever knew the whole action of the government; but it was my impression that the object of the mission was only confined to the acquisition of the facts necessary to form an opinion, and that, after they were obtained, no public step of any kind had been taken. Neither could I myself recollect an instance in which ample time had not been given by the United States for the development of events sufficiently decisive to justify any action that might have followed; for I begged it to be understood that the government did not mean at all to deny that there were cases in which recognition of a revolutionary government might be both expedient and proper. The rule was clear, that whenever it became apparent that any organized form of society had advanced so far as to prove its power to defend and protect itself against the assaults of enemies, and at the same time to manifest a capacity to maintain binding relations with foreign nations, then a measure of recognition could not be justly objected to on any side. The case was very different when such an interference should take place, prior to the establishment of the proof required, as to bring about a result which would not probably have happened but for that external agency.

And here I stop for a moment to make two remarks upon this part of the conversation. The first of these is, that I have an impression that the agent to go to Hungary, alluded to by his lordship, was Mr. Mann, the same gentleman who is now figuring in the commission of the confederates at this

place. If in this I am right, we can be at no loss for his lordship's sources of information. The other remark is, that the Hungarian precedent was unquestionably one in which a very strong sympathy with the insurgent party actually existed in the United States. Are we therefore to infer a similar impulse to actuate the precipitate measure now taken here?

I did not say this to his lordship, though I might have done so; but I proceeded to observe that I had come to England prepared to present the views of my government on the general question, and that I should have done so in full but for the interposition of this more immediate despatch. At the present moment I should touch only upon one point in connexion with the acknowledgment of the insurgents even as a belligerent State. It seemed necessary to call the attention of his lordship to the fact which must be obvious to him, that as yet they had not laid any foundation for government solid enough to deserve a moment's confidence. They had undertaken to withdraw certain States from the government by an arbitrary act which they called secession, not known to the Constitution, the validity of which had at no time been acknowledged by the people of the United States, and which was now emphatically denied; but not content with this, they had gone on to substitute another system among themselves, avowedly based upon the recognition of this right of States to withdraw or secede at pleasure. With such a treaty, I would ask, where could be vested the obligation of treaties with foreign powers, of the payment of any debts contracted, or, indeed, of any act performed in good faith by the common authority for the time being established. For my own part, I fully believed that such a system could not deserve to be denominated, in any sense, a government; and therefore I could not but think any act performed here, having a tendency to invest it in the eye of the world with the notion of form and substance, could be attended only with the most complete disappointment to all the parties connected with it.

His lordship here interposed by saying that there was not, in his opinion, any occasion at present for going into this class of arguments, as the government did not contemplate taking any step that way. Should any such time arrive in the future, he should be very ready to listen to every argument that might be presented against it on the part of the United States. At this moment he thought we had better confine ourselves to the matter immediately in hand.

I then remarked that there was another subject upon which I had received a despatch, though I should not, after so long a conference, venture to do more than open the matter to-day. This was a proposal to negotiate in regard to the rights of neutrals in time of war. The necessary powers had been transmitted to me, together with a form of a convention, which I would do myself the honor to submit to his consideration if there was any disposition to pursue the matter further. His lordship then briefly reviewed the past action of the two countries since the meeting of the congress at Paris, and expressed the willingness of Great Britain to negotiate; but he seemed to desire to leave the subject in the hands of Lord Lyons, to whom he intimated that he had already transmitted authority to assent to any modification of the only point in issue which the government of the United States might prefer. On that matter he believed there would be no difficulty whatever. Under these circumstances, I shall not press the subject further at this place until I receive new directions to that effect from the department.

His lordship then observed that there were two points upon which he should be glad himself to be enlightened, although he did not know whether I was prepared to furnish the information. They both related to the President's proclamation of a blockade. The first question was upon the nature

of the blockade. The coast was very extensive, stretching along the Atlantic and the Gulf of Mexico a great way. Was it the design of the United States to institute an effective blockade in its whole extent, or to make only a declaration to that effect as to the whole, and to confine the actual blockade to particular points? Considering the uniform doctrine of the government refusing to recognize the validity of mere paper blockades, he could hardly suppose they designed the latter.

To this I replied that I knew nothing directly of the President's intentions on this subject; but that inasmuch as the government had always protested against mere paper blockades, I could not suppose that it was now disposed to change its doctrine. On the contrary, I had every reason for affirming that it was the intention to make an effective blockade; and this was more practicable than at first sight might appear from the fact that there were few harbors along the coast, however great its extent, and these were not very easy of access. I thought, therefore, that even though the blockade might not be perfect, it would be sufficiently so to come within the legitimate construction of the term.

His lordship then alluded to the other point, which was, that the proclamation assigned no precise date for the commencement of the blockade, which he believed was necessary; but he presumed that that defect might be remedied at any time. To which I added that I did not doubt any such omission of form would be supplied as soon as it was pointed out.

His lordship then made some remarks upon the adoption of the tariff; to which I replied that, in my belief, that law was mainly passed as a revenue measure, with incidental protection; that it was not in any way aimed in a hostile spirit to foreign nations; and that the people of the United States would always buy from Great Britain as much as they could pay for, and generally a good deal more. This last remark raised a smile; and thus ended his lordship's series of inquiries.

Having thus disposed of these secondary questions, I returned once more to the charge, and asked him what answer I should return to the inquiry which I had been directed to make. In order to avoid any ambiguity, I took out of my pocket your despatch No. 4, and read to him the paragraph recapitulating the substance of Mr. Dallas's report of his interview, and the very last paragraph. I said that it was important to me that I should not make any mistake in reporting this part of the conversation; therefore I should beg him to furnish me with the precise language. He said that he did not himself know what he was to say. If it was expected of him to give any pledge of an absolute nature that his government would not at any future time, no matter what the circumstances might be, recognize an existing State in America, it was more than he could promise. If I wished an exact reply, my better way would be to address him the inquiry in writing. I said that I was well aware of that, but I had hoped that I might be saved the necessity of doing so. On reflection, he proposed to avoid that by offering to transmit to Lord Lyons directions to give such a reply to the President as, in his own opinion, might be satisfactory. To this arrangement I gave my assent, though not without some doubt whether I was doing right. In truth, if I were persuaded that her Majesty's government were really animated by a desire to favor the rebellion, I should demand a categorical answer; but thus far I see rather division of opinion, consequent upon the pressure of the commercial classes. Hence I preferred to give the short time demanded, as well as to place in the hands of the President himself the power to decide upon the sufficiency of the reply.

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It may be as well to state that, both in matter and manner, the conference, which has been reported as fully and as accurately as my memory would permit, was conducted in the most friendly spirit.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 4.]

LEGATION OF THE UNITED STATES,
London, May 31, 1861.

SIR :

* * * * *

I have likewise to acknowledge the reception of a printed circular addressed to my predecessor, Mr. Dallas, and dated the 27th of April, 1861, transmitting the proclamation of the President declaring the blockade of the ports of Virginia and North Carolina. In this connexion it may be as well to call your attention to the manner in which these measures are viewed here, so far as it may be gathered from what is casually dropped by members of Parliament as well as what is published in the newspapers. A leading article in the Times newspaper of this morning is especially deserving of attention. It would seem from this that a scheme to overturn the old and recognized British law of blockade, through the means of a joint declaration of the European powers, somewhat after the fashion of the armed neutrality of the last century, is among the things now floating in the minds of people here. Great Britain, so long known and feared as the tyrant of the ocean, is now to transform herself into a champion of neutral rights and the freedom of navigation, even into the ports of all the world, with or without regard to the interests of the nations to whom they may belong.

* * * * *

I beg to call your attention to the language used by Lord John Russell and by Mr. Gladstone in the debate in the House of Commons last evening, in relation to a passing remark of Sir John Ramsden upon American affairs on the preceding Monday. They indicate what I believe to be true, that the feeling toward the United States is improving in the higher circles here. It was never otherwise than favorable among the people at large. I was myself present and heard Sir John Ramsden on Monday night. His remark was partially cheered by the opposition, who were ready to receive anything favorably from a new convert ; but I have reason to believe that it met with decided condemnation from a large majority of the members. The proof of this was established last night in the manner in which the castigation of Mr. Gladstone, which I also witnessed, was listened to and approved. Sir John seems to have gained no laurels in this conflict. The ministry sustained themselves in the division last night, which is, I presume, the decisive test for the year. I believe this may be regarded as a favorable result to the

United States. I shall reserve some general observations on the subject for a separate despatch in the early part of next week.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,

Secretary of State.

Mr. Seward to Mr. Adams.

No. 14.]

DEPARTMENT OF STATE,

Washington, June 3, 1861.

SIR: Your despatch of May 17 (No. 1) has been received.

Your speech at Liverpool was equally prudent and happy. Your promptness in passing through the town to the seat of government, although to be regretted in some respects, is, in view of the circumstances, approved.

Every instruction you have received from this department is full of evidence of the fact that the principal danger in the present insurrection which the President has apprehended was that of foreign intervention, aid, or sympathy; and especially of such intervention, aid, or sympathy on the part of the government of Great Britain.

The justice of this apprehension has been vindicated by the following facts, namely:

1. A guarded reserve on the part of the British secretary of state, when Mr. Dallas presented to him our protest against the recognition of the insurgents, which seemed to imply that, in some conditions, not explained to us, such a recognition might be made.

2. The contracting of an engagement by the government of Great Britain with that of France, without consulting us, to the effect that both governments should adopt one and the same course of procedure in regard to the insurrection.

3. Lord John Russell's announcement to Mr. Dallas that he was not unwilling to receive the so-called commissioners of the insurgents unofficially.

4. The issue of the Queen's proclamation, remarkable, first, for the circumstances under which it was made, namely, on the very day of your arrival in London, which had been anticipated so far as to provide for your reception by the British secretary, but without affording you the interview promised before any decisive action should be adopted; secondly, the tenor of the proclamation itself, which seems to recognize, in a vague manner, indeed, but does seem to recognize, the insurgents as a *belligerent national power*.

That proclamation, unmodified and unexplained, would leave us no alternative but to regard the government of Great Britain as questioning our free exercise of all the rights of self-defence guaranteed to us by our Constitution and the laws of nature and of nations to suppress the insurrection.

I should have proceeded at once to direct you to communicate to the British government the definitive views of the President on the grave subject, if there were not especial reasons for some little delay.

These reasons are, first, Mr. Thouvenel has informed our representative at Paris that the two governments of Great Britain and France were preparing, and would, without delay, address communications to this government concerning the attitude to be assumed by them in regard to the insurrection. Their communications are hourly expected.

Second. You have already asked, and, it is presumed, will have obtained, an interview with the British secretary, and will have been able to present

the general views of this government, and to learn definitely the purposes of Great Britain in the matter, after it shall have learned how unsatisfactory the action of the British government hitherto has been to the government of the United States.

The President is solicitous to show his high appreciation of every demonstration of consideration for the United States which the British government feels itself at liberty to make. He instructs me, therefore, to say that the prompt and cordial manner in which you were received, under peculiar circumstances arising out of domestic afflictions which had befallen her Majesty and the secretary of state for foreign affairs, is very gratifying to this government.

A year ago the differences which had partially estranged the British and the American people from each other seemed to have been removed forever. It is painful to reflect that that ancient alienation has risen up again under circumstances which portend great social evils, if not disaster, to both countries.

Referring you to previous instructions, and reserving further directions until we shall have your own report of the attitude of the British government as defined by itself for our consideration,

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extract.]

No. 5.]

LEGATION OF THE UNITED STATES,

London, June 7, 1861.

SIR: I have the honor to acknowledge the receipt of your several despatches, No. 7, of the 11th of May, with copies of the correspondence relating to the slave trade and to San Domingo; No. 8, of the 20th, enclosing the commission of Neil McLachlan, esq., as consul at Leith; and No. 9, of the 21st, enclosing the commission of Edward Leavenworth, esq., as consul at Sydney, New South Wales. These commissions have been duly transmitted to her Majesty's secretary for foreign affairs, with the customary request for recognition. The earlier papers have been carefully read, and will be made the subject of consideration at the next conference, which I purpose to ask of his lordship at an early day.

I think I can report with confidence a considerable amelioration of sentiment here towards the government of the United States. This may be partly ascribed to the impression made by the news received of vigorous and effective measures in America, and partly to a sense that the preceding action of her Majesty's ministers has been construed to mean more than they intended by it. It cannot be denied that it had opened a most grave question touching the use that might be made of all the ports of Great Britain as a shelter for captures by privateers purporting to be authorized by the rebellious States. After a careful examination of the subject, I had come to the conclusion that, without some further positive action, the preceding practice in this country would authorize the retention of such captures until condemned as prizes in some admiralty court set up by the insurgents at home and the sale of them afterwards. The effect of this, in giving them encouragement, can scarcely be estimated. It would at once enlist in their behalf most of the daring and desperate adventurers of every nation, whose sole object is plunder, and would initiate a struggle between

a community of planters, who have nothing to lose on the ocean, and a commercial nation which whitens every sea with the sails of a peaceful navigation. That so serious a consequence as this was ever intended to flow from the precipitate act of the government here I did not believe. Hence it was with great satisfaction that I learned, on Monday, that the question would be proposed on that day by Mr. Forster in the House of Commons, which you will have seen before this in the record of the proceedings of that body, and that it would be fully answered by Lord John Russell on behalf of her Majesty's ministers. This answer, as since made, may be regarded as satisfactory, so far as it closes the door to one bad effect of the proclamation; but it does not remove the main difficulty of putting the legitimate and the spurious authority in the same category. Although in practice the operation is favorable to the former, in theory the admission of equality is equally vicious. The only consolation is to be found in the evident desire betrayed by the government here to avoid in any way a collision with the United States or any direct encouragement of the insurgents.

This is the day assigned for the consideration of the motion of Mr. Gregory, the member for Galway. I understand that he means to enter largely into the question of recognition of the confederates, and that he will probably be answered as fully. It is stated to me that the ministry are willing to have the discussion go on. For obvious reasons I do not think it advisable to attend the debate myself; but I shall take measures to obtain the best information of the actual state of feeling in the House from personal observation, and to transmit my own conclusions in the next despatch. Unfortunately it will be necessary to close the present one before evening, in order to be in time for the steamer.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 16.]

DEPARTMENT OF STATE,
Washington, June 8, 1861.

SIR: I enclose a copy of a note of this date addressed to Lord Lyons, which will dispel any uncertainty which the British government may entertain in regard to our recognition of a rule of international law which they may deem important.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, June 8, 1861.

MY LORD: I have the honor to acknowledge the receipt of your note of the 5th instant, with the accompanying papers, relative to a claim in the case of the cargo of the bark Winifred, a part of which is represented to belong to British subjects.

In reply, I regret that at this juncture I do not feel at liberty to interfere in the case, as it is understood that the usual proceedings in the prize court at New York have been set on foot against the vessel and her cargo.

If, however, that court shall be satisfied of the ownership by British subjects of the part of the cargo claimed, it cannot be doubted that restitution will be decreed, as this government recognizes the right of the property of a friendly nation in the vessels of an insurgent to be exempted from condemnation.

The papers which accompanied your note are herewith returned.

I have the honor to be, with the highest consideration, your lordship's most obedient servant,

WILLIAM H. SEWARD.

The Right Honorable LORD LYONS, &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 15.]

DEPARTMENT OF STATE,
Washington, June 8, 1861.

SIR: I have the pleasure of acknowledging the receipt of your despatch of May 21, (No. 2,) which contains a report of the conversation which you had held with Lord John Russell on the 18th day of that month.

This government insists, as all the world might have known that it must and would, under all circumstances, insist, on the integrity of the Union, as the chief element of national life. Since, after trials of every form of forbearance and conciliation, it has been rendered certain and apparent that this paramount and vital object can be saved only by our acceptance of civil war as an indispensable condition, that condition, with all its hazards and deplorable evils, has not been declined. The acceptance, however, is attended with a strong desire and fixed purpose that the war shall be as short and accompanied by as little suffering as possible. Foreign intervention, aid, or sympathy in favor of the insurgents, especially on the part of Great Britain, manifestly could only protract and aggravate the war. Accordingly, Mr. Dallas, under instructions from the President, in an interview conceded to him by the British secretary of state for foreign affairs, presented our protest against any such intervention.

Lord John Russell answered with earnestness that there was not in the British government the least desire to grasp at any advantages which might be supposed to arise from the unpleasant domestic differences in the United States, but, on the contrary, that they would be highly gratified if those differences were adjusted, and the Union restored to its former unbroken position.

Mr. Dallas then, as he reported to us, endeavored to impress upon his lordship how important it must be that Great Britain and France should abstain, at least for a considerable time, from doing what, by encouraging groundless hopes, (of the insurgents,) would widen a breach still thought capable of being closed; but his lordship seemed to think that the matter was not ripe for decision, one way or another, and remarked that what he had already said was all that at present it was in his power to say.

Upon this report you were instructed to inform her Britannic Majesty's government that the President regarded the reply made by his lordship to Mr. Dallas's suggestion as possibly indicating a policy which this government would be obliged to deem injurious to its rights, and derogating from its

dignity. This government thought the reply of the secretary unjustifiably abrupt and reserved. That abruptness and reserve unexplained, left us under a seeming necessity of inferring that the British government might be contemplating a policy of encouragement to the insurgents which would widen the breach here which we believed it possible to heal if such encouragement should not be extended. A vital interest obliged the United States to seek explanation, or to act on the inference it thus felt itself obliged to adopt.

Your despatch of the 21st of May, (No. 2,) which has just been received, shows how you have acquitted yourself of the duty imposed upon you. After stating our complaint to his lordship, you very properly asked an elucidation of his meaning in the reply to which exception had been taken by us, and very rightly, as we think, asked whether it was the intention of her Majesty's ministers to adopt a policy which would have the effect to widen, if not to make irreparable, a breach which we believe yet to be entirely manageable by ourselves. His lordship disclaimed any such intention. A friendly argument, however, then arose between the secretary and yourself concerning what should be the form of the answer to us which his lordship could properly give, and which would, at the same time, be satisfactory to this government. The question was finally solved in the most generous manner by the proposition of his lordship that he would instruct Lord Lyons to give such a reply to the President as might, in his own opinion, be satisfactory, which proposition you accepted.

I hasten to say, by direction of the President, that your course in this proceeding is fully approved. This government has no disposition to lift questions of even national pride or sensibility up to the level of diplomatic controversy, because it earnestly and ardently desires to maintain peace, harmony, and cordial friendship with Great Britain. Lord John Russell's proposition, by authorizing the President to put the most favorable construction possible upon the response which was deemed exceptionable, removes the whole difficulty without waiting for the intervention of Lord Lyons. You will announce this conclusion to Lord John Russell, and inform him that the settlement of the affair in so friendly a spirit affords this government sincere satisfaction.

Your conversation with the British secretary incidentally brought into debate the Queen's late proclamation, (which seems to us designed to raise the insurgents to the level of a belligerent state;) the language employed by her Majesty's ministers in both houses of Parliament, the tone of the public press, and of private opinion, and especially a speech of the lord chancellor, in which he had characterized the insurgents as a belligerent State, and the civil war which they are waging against the United States as *justum bellum*.

The opinions which you expressed on these matters, and their obvious tendency to encourage the insurrection and to protract and aggravate the civil war, are just, and meet our approbation. At the same time, it is the purpose of this government, if possible, consistently with the national welfare and honor, to have no serious controversy with Great Britain at all; and if this shall ultimately prove impossible, then to have both the defensive position and the clear right on our side. With this view, this government, as you were made aware by my despatch No. 10, has determined to pass over without official complaint the publications of the British press, manifestations of adverse individual opinion in social life, and the speeches of British statesmen, and even those of her Majesty's ministers in Parliament, so long as they are not authoritatively adopted by her Majesty's government. We honor and respect the freedom of debate, and the freedom of

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the press. We indulge no apprehensions of danger to our rights and interests from any discussion to which they may be subjected, in either form, in any place. Sure as we are that the transaction now going on in our country involves the progress of civilization and humanity, and equally sure that our attitude in it is right, and no less sure that our press and our statesmen are equal in ability and influence to any in Europe, we shall have no cause to grieve if Great Britain shall leave to us the defence of the independence of nations and the rights of human nature.

My despatch No. 14 presented four distinct grounds on which this government apprehended a policy on the part of her Majesty's government to intervene in favor of the insurgents, or to lend them aid and sympathy. The first ground was the reserve practiced by the British secretary for foreign affairs in his conversation with Mr. Dallas, referred to in the earlier part of this despatch. I have already stated that the explanations made and offered by Lord John Russell have altogether removed this ground from debate.

The second was the contracting of an engagement by the government of Great Britain with that of France, without consulting us, to the effect that both governments would adopt one and the same course of proceeding in regard to the subject of intervention in our domestic affairs. You were informed in my despatch No. 10 that, as this proceeding did not necessarily imply hostile feelings towards the United States, we should not formally complain of it, but should rest content with a resolution to hold intercourse only with each of those States severally, giving due notice to both that the circumstance that a concert between the two powers in any proposition each might offer to us would not modify in the least degree the action of the United States upon it.

The third ground was Lord John Russell's announcement to Mr. Dallas that he was not unwilling to receive the so-called commissioners of the insurgents unofficially. On this point you already have instructions, to which nothing need now be added.

The fourth ground is the Queen's proclamation, exceptionable first for the circumstances under which it was issued, and secondly, for the matter of that important state paper.

My despatch No. 14 apprised you of our reason for expecting a direct communication on this subject from her Majesty's government. I reserve instructions on this fourth ground, as I did in that despatch, expecting to discuss it fully when the promised direct communication shall bring it authoritatively before this government in the form chosen by the British government itself.

My silence on the subject of the defence of that proclamation made by Lord John Russell in his conversation with you being grounded on that motive for delay, it is hardly necessary to say that we are not to be regarded as conceding any positions which his lordship assumed, and which you so ably contested on the occasion referred to in your despatch. Your argument on that point is approved by the President.

The British government having committed the subject of the proposed modifications of international law on the subject of the right of neutrals in maritime war to Lord Lyons before you were prepared by our instructions to present the subject to that government, no objection is now seen to the discussion of that matter here. No communication on any subject herein discussed has yet been received from Lord Lyons. Despatches which you must have received before this time will have enabled you to give entire satisfaction to his lordship concerning the blockade. We claim to have a right to close the ports which have been seized by insurrectionists, for the purpose of suppressing the attempted revolution, and no one could justly

complain if we had done so decisively and peremptorily. In resorting to the milder and very lenient form of the blockade, we have been governed by a desire to avoid imposing hardships unnecessarily onerous upon foreign as well as domestic commerce. The President's proclamation was a notice of the intention to blockade, and it was provided that ample warning should be given to vessels approaching and vessels seeking to leave the blockaded ports before capture should be allowed. The blockade from the time it takes effect is everywhere rendered actual and effective.

Your remarks on the subject of the late tariff law were judicious. The subject of revenue policy in the altered condition of affairs is not unlikely to receive the attention of Congress.

We are gratified by the information you have given us of the friendly spirit which has thus far marked the deportment and conversation of the British government in your official intercourse with it.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

LONDON, June 8, 1861.

DEAR SIR: I send herewith a copy of the London Times of this morning, containing an account of the termination of Mr. Gregory's movement.

Subsequent events only can now do anything to improve the prospect of the confederates at this court. Yours, &c.,

C. F. ADAMS.

HON. W. H. SEWARD, *Washington, D. C.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 8.]

LEGATION OF THE UNITED STATES,
London, June 14, 1861.

SIR: I have to acknowledge the reception of your despatches No. 10, dated the 21st of May, and No. 11, dated on the 24th, with a copy of a letter from Mr. O. Vandemburgh, and also a printed circular from the department of the 20th of May, relating to purchases made here of articles contraband of war.

The intelligence of the feeling expressed in America upon the reception of the Queen's proclamation was fully expected by me, so that it excited no surprise, and much of the course of your argument in your despatch will be found to have been already adopted in my conference with Lord John Russell, an account of which is before this time in your hands.

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However this may be, my duty was plain. I applied for an interview with Lord John Russell, and he appointed one for ten o'clock on Wednesday, the 13th, at his own house. After some slight preliminary talk, I observed to him that I had been instructed to press upon her Majesty's government the expediency of early action on the subject of privateering; that in the

present state of excitement in the United States consequent upon the measures which it had felt it necessary to adopt, I did not know of anything which would be so likely to allay it as an agreement on this point. His lordship then said that he did not know whether I knew it, but the fact was that Mr. Dayton had made a proposition to France for negotiation on the basis of the articles as agreed upon in Paris. France had communicated the fact through her minister, the Comte de Flahault; and he intimated that there had been a cabinet conversation on the subject, without arriving at a decision. I then referred to what had passed at our former interview. I mentioned my proposal to negotiate, and the inclination shown by his lordship to leave the subject with Lord Lyons, with authority to arrange the only point in dispute as the government at Washington might desire. There I had left the matter. His lordship replied that he did not mean to be quite so understood. His intention was to say, that having agreed upon the three articles, he should be ready to consent to the total omission of the fourth article, if that would be agreeable at Washington. I said that I had not so understood him, and from my present recollection, I am confident that my report of his language was not incorrect.

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I next approached the most delicate portion of my task. I descanted upon the irritation produced in America by the Queen's proclamation, upon the construction almost universally given to it, as designed to aid the insurgents by raising them to the rank of a belligerent State, and upon the very decided tone taken by the President in my despatches in case any such design was really entertained. I added that from my own observation of what had since occurred here, I had not been able to convince myself of the existence of such a design. But it was not to be disguised that the fact of the continued stay of the pseudo commissioners in this city, and still more the knowledge that they had been admitted to more or less interviews with his lordship, was calculated to excite uneasiness. Indeed, it had already given great dissatisfaction to my government. I added, as moderately as I could, that in all frankness any further protraction of this relation could scarcely fail to be viewed by us as hostile in spirit, and to require some corresponding action accordingly.

His lordship then reviewed the course of Great Britain. He explained the mode in which they had consulted with France, prior to any action at all, as to the reception of the deputation from the so-called Confederate States. It had been the custom both in France and here to receive such persons unofficially for a long time back. Poles, Hungarians, Italians, &c., &c., had been allowed interviews, to hear what they had to say. But this did not imply recognition in their case any more than in ours. He added that he had seen the gentlemen once some time ago, and once more some time since; he had no expectation of seeing them any more.

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I shall continue my relations here until I discover some action apparently in conflict with it, or receive specific orders from the department dictating an opposite course.

I ventured to repeat my regret that the proclamation had been so hastily issued, and adverted to the fact that it seemed contrary to the agreement said to have been proposed by Mr. Dallas and concurred in by his lordship, to postpone all action until I should arrive, possessed with all the views of the new administration. But still, though I felt that much mischief had ensued in the creation of prejudices in the United States, not now easy to be eradicated, I was not myself disposed in any part of my conduct to aggravate the evil. My views had been much modified by opportunities of

more extended conversation with persons of weight in Great Britain, by the improved tone of the press, by subsequent explanations in Parliament, by the prohibition of all attempts to introduce prizes into British ports, and, lastly, by the unequivocal expression of sentiment in the case of Mr. Gregory when the time came for him to press his motion of recognition. I trusted that nothing new might occur to change the current again, for nothing was so unfortunate as the effect of a recurrence of reciprocal irritations, however trifling, between countries, in breaking up the good understanding which it was always desirable to preserve.

His lordship agreed to this, but remarked that he could not but think the complaint of the proclamation, though natural enough perhaps at this moment, was really ill founded. He went over the ground once more which he occupied in the former interview—the necessity of doing something to relieve the officers of their ships from the responsibility of treating these persons as pirates if they met them on the seas. For his part, he could not believe the United States would persevere in the idea of hanging them, for it was not in consonance with their well-known character. But what would be their own situation if they should be found practicing upon a harsher system than the Americans themselves.

Here was a very large territory—a number of States—and people counted by millions, who were in a state of actual war. The fact was undeniable and the embarrassment unavoidable. Under such circumstances the law officers of the crown advised the policy which had been adopted. It was designed only as a preventive to immediate evils. The United States should not have thought hard of it. They meant to be entirely neutral.

I replied that we asked no more than that. We desired no assistance. Our objection to this act was that it was practically not an act of neutrality. It had depressed the spirits of the friends of the government. It had raised the courage of the insurgents. We construed it as adverse, because we could not see the necessity of such immediate haste. These people were not a navigating people. They had not a ship on the ocean. They had made no prizes, so far as I knew, excepting such as they had caught by surprises. Even now, I could not learn that they had fitted out anything more than a few old steamboats, utterly unable to make any cruise on the ocean, and scarcely strong enough to bear a cannon of any calibre. But it was useless to go over this any more. The thing was now done. All that we could hope was that the later explanations would counteract the worst effects that we had reason to apprehend from it; and, at any rate, there was one compensation, the act had released the government of the United States from responsibility for any misdeeds of the rebels towards Great Britain. If any of their people should capture or maltreat a British vessel on the ocean, the reclamation must be made only upon those who had authorized the wrong. The United States would not be liable.

I added that I could not close the interview without one word upon a subject on which I had no instructions. I saw by the newspapers an account of a considerable movement of troops to Canada. In our situation this would naturally excite attention at home, and I was therefore desirous to learn whether they were ordered with any reference to possible difficulties with us. His lordship said that the country had been denuded of troops for some time back, and it was regarded only as a proper measure of precaution, in the present disordered condition of things in the United States, to restore a part of them. He said he did not know but what we might do something. He intimated a little feeling of uneasiness at the mission of Mr. Ashmun, without any notice given to them of his purposes; and he likewise said something about a threat uttered by yourself to Lord Lyons to seize a British

vessel on Lake Ontario without ceremony. To this I replied, that inasmuch as I had understood Mr. Ashmun's mission had been made known to the governor of Canada, it did not seem to me that it could be of much concealed significance; and that as to the other matter, if there was any reality in the threat, it surely was an odd way of proceeding to furnish at once the warning in time to provide against its execution.

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I did not touch at all on the subject of the blockade, as referred to in your despatch No. 10, for the reason that I do not now understand the government as disposed in any way to question its validity or to obstruct it. On the contrary, his lordship, incidentally referring to it in this interview, said that instructions had been sent out to the naval officers in command to respect it, and never themselves to seek to enter any of the ports blockaded, unless from some urgent necessity to protect British persons or property.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Mr. Seward to Mr. Adams.

No. 21.]

DEPARTMENT OF STATE,
Washington, June 19, 1861.

SIR: On the 15th day of June instant, Lord Lyons, the British minister, and Mr. Mercier, the French minister, residing here, had an appointed interview with me. Each of those representatives proposed to read to me an instruction which he had received from his government, and to deliver me a copy if I should desire it. I answered, that in the present state of the correspondence between their respective governments and that of the United States, I deemed it my duty to know the characters and effects of the instructions, respectively, before I could consent that they should be officially communicated to this department. The ministers therefore, confidentially, and very frankly, submitted the papers to me for preliminary inspection. After having examined them so far as to understand their purport, I declined to hear them read, or to receive official notice of them.

I proceed now to give you our reasons for this course, that you may, if you find it necessary or expedient, communicate them to the government of Great Britain.

When we received official information that an understanding was existing between the British and French governments that they would take one and the same course concerning the insurrection which has occurred in this country, involving the question of recognizing the independence of a revolutionary organization, we instructed you to inform the British government that we had expected from both of those powers a different course of proceeding. We added, however, that inasmuch as the proposed concert of action between them did not necessarily imply any unfriendliness of purpose or of disposition, we should not complain of it, but that we should insist in this case, as in all others, on dealing with each of those powers alone, and that their agreement to act together would not at all affect the course which we should pursue. Adhering to this decision, we have not made the concert of the two powers a ground of objection to the reading of the instruction with which Lord Lyons was charged.

That paper purports to contain a decision at which the British government has arrived, to the effect that this country is divided into two belligerent

parties, of which this government represents one, and that Great Britain assumes the attitude of a neutral between them.

This government could not, consistently with a just regard for the sovereignty of the United States, permit itself to debate these novel and extraordinary positions with the government of her Britannic Majesty; much less can we consent that that government shall announce to us a decision derogating from that sovereignty, at which it has arrived without previously conferring with us upon the question. The United States are still solely and exclusively sovereign within the territories they have lawfully acquired and long possessed, as they have always been. They are at peace with all the world, as, with unimportant exceptions, they have always been. They are living under the obligations of the law of nations, and of treaties with Great Britain, just the same now as heretofore; they are, of course, the friend of Great Britain, and they insist that Great Britain shall remain their friend now just as she has hitherto been. Great Britain, by virtue of these relations, is a stranger to parties and sections in this country, whether they are loyal to the United States or not, and Great Britain can neither rightfully qualify the sovereignty of the United States, nor concede, nor recognize any rights, or interests, or power of any party, State, or section, in contravention to the unbroken sovereignty of the federal Union. What is now seen in this country is the occurrence, by no means peculiar, but frequent in all countries, more frequent even in Great Britain than here, of an armed insurrection engaged in attempting to overthrow the regularly constituted and established government. There is, of course, the employment of force by the government to suppress the insurrection, as every other government necessarily employs force in such cases. But these incidents by no means constitute a state of war impairing the sovereignty of the government, creating belligerent sections, and entitling foreign States to intervene or to act as neutrals between them, or in any other way to cast off their lawful obligations to the nation thus for the moment disturbed. Any other principle than this would be to resolve government everywhere into a thing of accident and caprice, and ultimately all human society into a state of perpetual war.

We do not go into any argument of fact or of law in support of the positions we have thus assumed. They are simply the suggestions of the instinct of self-defence, the primary law of human action, not more the law of individual than of national life.

This government is sensible of the importance of the step it takes in declining to receive the communication in question. It hopes and believes, however, that it need not disturb the good relations which have hitherto subsisted between the two countries which, more than any other nations, have need to live together in harmony and friendship.

We believe that Great Britain has acted inadvertently, and under the influence of apprehensions of danger to her commerce, which either are exaggerated or call for fidelity on her part to her habitual relations to the United States, instead of a hasty attempt to change those relations.

Certainly this government has exerted itself to the utmost to prevent Great Britain from falling into the error of supposing that the United States could consent to any abatement of their sovereignty in the present emergency. It is, we take leave to think, the common misfortune of the two countries that Great Britain was not content to wait before despatching the instruction in question, until you had been received by her Majesty's government, and had submitted the entirely just, friendly, and liberal overtures with which you were charged.

Although the paper implies, without affirming, that the insurgents of this

country possess some belligerent rights, it does not name, specify, or indicate one such right. It confines itself to stating what the British government require or expect the United States to do. Virtually, it asks us to concede to Great Britain the principles laid down in the declaration of the congress held at Paris in 1856. It asks indeed a little less, certainly nothing more or different from this. The British government ask this of us to-day, the 15th of June, in ignorance of the fact that we had, so early as the 25th of April, instructed you to tender, without reservation, to Great Britain our accession, pure and simple, to that declaration. We have all the while, since that instruction was sent forth, been ready, as we now are ready, to accede to the declaration, where and whenever Great Britain may be ready and willing to receive it. The argument contained in the instruction seems, therefore, to have been as unnecessary and irrelevant as it is unacceptable. Lord Lyons thinks that his instructions do not authorize him to enter into convention with us here. You will inform the government of Great Britain of the fact, and, if they prefer, you will enter into the convention at London.

Of course it is understood that the concessions herein made do not affect or impair the right of the United States to suppress the insurrection as well by maritime as by land operations, and for this purpose to exclude all commerce from such of the ports as may have fallen into the hands of the insurgents, either by closing the ports directly or by the more lenient means of a blockade, which we have already adopted.

It is thus seen that, in the present case, there is only an embarrassment resulting from the similar designs of the two governments to reach one common object by different courses without knowledge of each others dispositions in that respect. There is nothing more. We propose, as a nation at peace, to give to Great Britain as a friend what she as a neutral demands of us, a nation at war. We rejoice that it happens so. We are anxious to avoid all causes of misunderstanding with Great Britain; to draw closer, instead of breaking, the existing bonds of amity and friendship. There is nothing good or great which both nations may not expect to attain or effect if they may remain friends. It would be a hazardous day for both the branches of the British race when they should determine to try how much harm each could do the other.

We do not forget that, although thus happily avoiding misunderstanding on the present occasion, Great Britain may in some way hereafter do us wrong or injury by adhering to the speculative views of the rights and duties of the two governments which she has proposed to express. But we believe her to be sincere in the good wishes for our welfare, which she has so constantly avowed, and we will not, therefore, suffer ourselves to anticipate occasions for difference which, now that both nations fully understand each other, may be averted or avoided.

One point remains. The British government while declining, out of regard to our natural sensibility, to propose mediation for the settlement of the differences which now unhappily divide the American people, have nevertheless expressed, in a very proper manner, their willingness to undertake the kindly duty of mediation, if we should desire it. The President expects you to say on this point to the British government, that we appreciate this generous and friendly demonstration; but that we cannot solicit or accept mediation from any, even the most friendly quarter. The conditions of society here, the character of our government, the exigencies of the country, forbid that any dispute arising among us should ever be referred to foreign arbitration. We are a republican and American people. The Constitution of our government furnishes all needful means for the correction or removal of any possible political evil. Adhering strictly as we do to its directions, we shall

surmount all our present complications, and preserve the government complete, perfect, and sound, for the benefit of future generations. But the integrity of any nation is lost, and its fate becomes doubtful, whenever strange hands, and instruments unknown to the Constitution, are employed to perform the proper functions of the people, established by the organic laws of the State.

Hoping to have no occasion hereafter to speak for the hearing of friendly nations upon the topics which I have now discussed, I add a single remark by way of satisfying the British government that it will do wisely by leaving us to manage and settle this domestic controversy in our own way.

The fountains of discontent in any society are many, and some lie much deeper than others. Thus far this unhappy controversy has disturbed only those which are nearest the surface. There are others which lie still deeper that may yet remain, as we hope, long undisturbed. If they should be reached, no one can tell how or when they could be closed. It was foreign intervention that opened and that alone could open similar fountains in the memorable French revolution.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES F. ADAMS, *etc., etc., etc.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 9.]

LEGATION OF THE UNITED STATES,
London, June 21, 1861.

SIR:	*	*	*	*	*	*	*	*
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I have not deemed it necessary to ask a special interview to communicate to Lord John Russell the sense entertained by the President of the manner of my reception here, as directed in yours of the 3d of June. Presuming it to be altogether likely that another despatch, prepared after the reception of my No. 2, is now near at hand, I have preferred to wait and see if that may not give me other matter to submit at the same time.

The intelligence received from the United States of the effect produced by the reception of the Queen's proclamation has not been without its influence upon opinion here. Whilst people of all classes unite in declaring that such a measure was unavoidable, they are equally earnest in disavowing any inferences of want of good will which may have been drawn from it. They affect to consider our complaints as very unreasonable, and are profuse in their professions of sympathy with the government in its present struggle. This is, certainly, a very great change from the tone prevailing when I first arrived. It is partly to be ascribed to the accounts of the progress of the war, but still more to the publications in the *London Times* of the letters of its special correspondent. There is no longer any floating doubt of the capacity of the government to sustain itself, or any belief that the insurgents will make their own terms of accommodation. The idea still remains quite general that there will never be any actual conflict, and it is connected in many cases with an apprehension that the reunion may be cemented upon the basis of hostile measures against Great Britain. Indeed, such has been the motive hinted at by more than one person of influence as guiding the policy of the President himself. Whenever such a suggestion has been

made to me, I have been careful to discountenance it altogether, and to affirm that the struggle was carried on in good faith, and from motives not subject to be affected by mere considerations of policy, or by temporary emotions. More especially have I endeavored to disavow any "arrière pensée" which has the effect to confirm the suspicion of our sincerity, I regret to say, by far too much disseminated.

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I am now earnestly assured on all sides that the sympathy with the government of the United States is general; that the indignation felt in America is not founded in reason; that the British desire only to be perfectly neutral, giving no aid nor comfort to the insurgents. I believe that this sentiment is now growing to be universal. It inspires her Majesty's ministers, and is not without its effect on the opposition. Neither party would be so bold as to declare its sympathy with a cause based upon the extension of slavery, for that would at once draw upon itself the indignation of the great body of the people. But the development of a positive spirit in the opposite direction will depend far more upon the degree in which the arm of the government enforces obedience than upon any absolute affinity in sentiments. Our brethren in this country, after all, are much disposed to fall in with the opinion of Voltaire, that "Dieu est toujours sur le côté des gros canons." General Scott and an effective blockading squadron will be the true agents to keep the peace abroad, as well as to conquer one at home. In the meanwhile the self-styled commissioners of the insurgents have transferred their labors to Paris, where, I am told, they give out what they could not venture publicly to say here, that this government will recognize them as a State. The prediction may be verified, it is true; but it is not now likely to happen, under any other condition than the preceding assent of the United States.

I have the honor to be your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 10.]

LEGATION OF THE UNITED STATES,
London, June 28, 1861.

SIR: * * * * *

My interview with his lordship was intended only to express to him the views entertained by the President, as communicated to me in your despatches No. 14 and No. 15 of the reports made by me of our first conference. His lordship said that he had just received despatches as late as the 15th, communicating the same information, and that Lord Lyons had learned, through another member of the diplomatic corps, that no further expression of opinion on the subject in question would be necessary. This led to the most frank and pleasant conversation which I have yet had with his lordship, in which we reviewed the various points of difficulty that had arisen in a manner too desultory to admit of reporting, excepting in the general result.

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I added that I believed the popular feeling in the United States would subside the moment that all the later action on this side was known. There

was but a single drawback remaining, which was what I could not but regard as the inopportune despatch of the Great Eastern with the troops for Canada. He said that this was a mere precaution against times of trouble.

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His lordship then said something about difficulties in New Granada, and the intelligence that the insurgents had undertaken to close several of their ports. But the law officers here told him that this could not be done as against foreign nations, excepting by the regular form of blockade. He did not know what we thought about it, but he had observed that some such plan was said to be likely to be adopted, at the coming meeting of Congress, in regard to the ports of those whom we considered as insurgents. I replied that such was one of the several projects reported at the last session of Congress, to which I was a member, but I had heard some serious constitutional objections raised against it. My own opinion was that the blockade would be persevered in, which would obviate all difficulty.

On the whole, I think I can say that the relations of the two countries are gradually returning to a more friendly condition. My own reception has been all that I could desire. I attach value to this, however, only as it indicates the establishment of a policy that will keep us at peace during the continuance of the present convulsion.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 32.]

DEPARTMENT OF STATE,
Washington, July 1, 1861.

Sir: Your despatch No. 8 (dated June 14) has been received.

My despatch, No. 21, of 19th ultimo, has anticipated the matter you have discussed in the paper before me. It remains only to say that while we would prefer to add Mr. Marcy's amendment, exempting private property of non-belligerents from confiscation in maritime war, and desire you to stipulate to that effect if you can, yet we are, nevertheless, ready and willing to accede to the declaration of the congress of Paris, if the amendment cannot be obtained. In other words, we stand on the instructions contained in my aforesaid despatch.

We, as you are well aware, have every desire for a good understanding with the British government. It causes us no concern that the government sends a naval force into the Gulf and a military force into Canada. We can have no designs hostile to Great Britain so long as she does not, officially or unofficially, recognize the insurgents or render them aid or sympathy. We regard the measures of precaution on her part, to which I have alluded, as consequences of the misunderstanding of our rights and her own real relation towards us that she seemed precipitately to adopt, before she heard the communication with which you were charged on our behalf. These consequences may be inconvenient to herself, but are not all occasion of irritation to the United States. Under present circumstances, the more effectually Great Britain guards her possessions and her commerce in this quarter the better we shall be satisfied. If she should change her course and do us any injury, which we have not the least idea now that she

purposes to do, we should not be deterred from vindicating our rights and our unbroken sovereignty against all the armies and navies that she could send here.

Before the Queen's proclamation was issued, and at the moment when privateers were invited and a naval force announced as being organized by the insurrectionists, it was reported to this government that the iron steamer *Peerless*, lying at Toronto, had been sold to insurgents to be used as a privateer to prey upon our commerce, and that she was, nevertheless, to pass under British papers and the British flag down the St. Lawrence to be delivered over to a pirate commander in the open sea. It was said that the governor general declined to interfere. I asked Lord Lyons to request the governor general of Canada to look into the facts, and prevent the departure of the vessel if he should find the report to be true. Lord Lyons answered that he had no authority to do so. I then said that I should direct our naval forces to seize and detain the vessel if they should have good reason to believe the facts reported to be true, and to refer the parties interested to this government. I did this at once, and his lordship protested. Afterwards, as we understand, the governor general did interfere, and the *Peerless* was prevented from sailing until the danger of her being converted into a pirate was prevented. Here the matter ended. Certainly the British government could not expect us to permit the St. Lawrence to become a harbor for buccaneers. Had the vessel been seized or detained we should at once have avowed the act and tendered any satisfaction to the British government if it should appear that the character of the vessel had been misunderstood.

Mr. Ashmun went to Canada to watch and prevent just such transactions as the sale or fitting out of the *Peerless* for a pirate would have been. It was not supposed that his visit there would be thought objectionable, or could give any uneasiness to the British government. Lord Lyons here viewed the subject in a different light and complained of it. I instantly recalled Mr. Ashmun.

These are the two grievances presented to you by Lord John Russell. I trust that the British government will be satisfied that in both cases we were only taking care that the peace of the two countries should not be disturbed through the unlawful action of covetous and ill-disposed persons on the border which separates them.

I conclude with the remark that the British government can never expect to induce the United States to acquiesce in her assumed position of this government as divided in any degree into two powers for war more than for peace. At the same time, if her Majesty's government shall continue to practice absolute forbearance from any interference in our domestic affairs, we shall not be captious enough to inquire what name it gives to that forbearance, or in what character it presents itself before the British nation in doing so. We hold ourselves entitled to regard the forbearance as an act of a friendly power, acting unconsciously of a domestic disturbance among us, of which friendly States can take no cognizance. On this point our views are not likely to undergo any change. In maintaining this position we are sure we do nothing derogating from the dignity of the British government, while we inflexibly maintain and preserve the just rights and the honor of the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extract.]

No. 14.]

LEGATION OF THE UNITED STATES,
London, July 12, 1861.

SIR: Your despatches, from No. 2 to No. 25, inclusive, were received at this office early in the present week.

I have read the first of these papers, containing further instructions to me, and dated on the 21st of June, with close attention. My prevailing feeling has been one of profound surprise at the course of this government throughout the present difficulty. First. It prepares, in the form of an instruction to Lord Lyons, a paper to be presented to you, among other things "virtually asking you to concede the principles laid down in the declaration of the congress held in Paris in 1856." Secondly. When in obedience to my instructions I propose to offer a project to Lord John Russell, actually designed to do the very thing desired, I am told the directions have already been sent out to Lord Lyons to arrange the matter on the basis proposed by the American government of the three articles, omitting the fourth altogether. Thirdly. Lord Lyons expresses the opinion to you that his instructions do not authorize him to enter into a convention with you in the United States. Fourthly. When, concurrently with these events, Mr. Dayton proposes to negotiate on the same basis with France, I am informed that this proposal has been communicated to the ministry here, and that no definite conclusion had been arrived at. I must say that a more remarkable series of misunderstandings has seldom come within my observation.

I now propose to bring this matter to a distinct issue. To this end I have addressed a letter to Lord John Russell, to know whether, under the renewed instructions of the present despatch, he is disposed to open the negotiation here. The advantage of this will be that I shall get an answer in writing, which will admit of no misconception. A copy of that answer will be forwarded so soon as it is received.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Adams to Mr. Seward.

No. 17.]

LEGATION OF THE UNITED STATES,
London, July 19, 1861.

SIR: Your despatch, No. 32, dated the 1st of July, relating to the communications between the two governments respecting the declaration of the convention at Paris, in 1856, reached me soon after I had addressed a formal letter to Lord John Russell, designed to bring the matter to a definite point. In my No. 14, dated on the 12th, I stated the fact that I had sent such a letter, and I promised that I would forward his lordship's answer so soon as it should be received. I now transmit copies of my letter and of the answer.

It is not a little singular that his lordship's memory of what passed at our first interview on this subject should differ so widely from mine. It would seem, by his account, that he had been the first to mention the instructions to Lord Lyons to propose a negotiation on the subject of the declaration of Paris, and that I had thereupon expressed the opinion that it would be well to leave it in your hands, in which opinion he fully concurred.

On my side, I am quite certain that the discussion which actually took place between us involved a wholly different class of topics of a very critical nature, and never touched upon the declaration of Paris, until it had exhausted itself on the others. It was by that time late, and I then opened the new subject by remarking that there would be no time to do more than to allude to it at this conference. I first mentioned the fact that I had instructions to propose a negotiation upon the disputed point of the Paris declarations, and the necessary powers to perfect an agreement, if her Majesty's government were disposed to enter into it. It was this proposal that elicited the explanations of his lordship as to what had been already done, and the expression of an opinion that the instructions sent to Lord Lyons were of such a kind as to make some agreement on your side so very likely as to render any treatment of the same matter here unadvisable; and it was then that I concurred in his opinion.

As things now stand, perhaps this difference of recollection in the present instance may not be material. But there might be cases in which it would be of so much moment that I think hereafter I shall prefer, upon essential points, to conduct the affairs of this legation a little more in writing than I have heretofore thought necessary.

At the hour appointed in his note, I waited upon his lordship for the first time, at his official residence in Downing street. After comparing our respective remembrance of the facts in dispute, I went on to repeat what I maintained I had at first proposed, to wit: that I was ready to negotiate if her Majesty's government were so disposed. To that end I had brought my powers, and also the project of a convention, copies of both of which papers I offered to leave with him. He remarked that at this stage it was not necessary to look at the powers. The other one he took and examined. The first remark which he made was that it was essentially the declaration of Paris. He had never known until now that the government of the United States were disposed to accede to it. He was sure that I had never mentioned it. To this I assented, but observed that the reason why I had not done so was that my government had directed me to make a preliminary inquiry, and that was to know whether her Majesty's ministers were disposed to enter into any negotiation at all. It was because of my understanding his lordship to say that he preferred to leave the matter with Lord Lyons, that I had considered negotiation here to be declined. I had also heard, through his lordship, of a proposition since made by Mr. Dayton on this subject to the French government, and which had been communicated to him, that led me to suppose the matter might be taking its shape at Paris. His lordship observed that Mr. Dayton's proposal was nothing more than a repetition of that made by Mr. Marcy, which they were not willing to accede to. I then said that Mr. Marcy's amendment was undoubtedly the first wish of my government. I also had instructions to press it, if there was the smallest probability of success; but I understood that this matter had been definitively settled. His lordship signified his assent to this remark, and added that I might consider the proposition as inadmissible. He would therefore take the copy of the project of a convention which I had offered him, for the purpose of submitting it to the consideration of his colleagues in the cabinet, and let me know when he should be ready to meet again.

In the course of conversation, I took the occasion to remark upon that passage of his lordship's note to me which related to the manner in which other states had signified their adherence to the declaration. I called his attention to the fact that, whatever might be the course elsewhere, the peculiar structure of our government required some distinct form of agreement or convention to be made with foreign States upon which the Senate could exercise their legitimate authority of confirmation or rejection. He

seemed at once to understand the force of this observation, and to assent to the necessity. Yet I foresaw at the time the difficulty in which it would place the British government in its relations with the other parties to the convention at Paris. The reply of his lordship, this moment come to hand, a copy of which is herewith submitted, explains it fully, and leaves the matter in the same state of suspense that it was in before.

Under these circumstances, and presuming it to be the wish of the President that no time be lost, I shall write to Mr. Dayton, at Paris, to know whether he considers himself authorized to proceed to conclude a similar arrangement with the French government; if so, I shall try to go on without waiting for further instructions; if not, I shall hold myself ready to act here so soon as this difficulty shall have been removed elsewhere.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WM. H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Lord John Russell.

LEGATION OF THE UNITED STATES,
London, July 11, 1861.

MY LORD: From the tenor of the last despatches received from the Department of State at Washington, I am led to suppose that there has been some misunderstanding in regard to the intentions of her Majesty's government respecting a proposal to negotiate upon the basis of the declaration of the congress held at Paris in 1856. In the first conversation which I had the honor to hold with your lordship, so long ago as the 18th of May last, in answer to an offer then made by myself, under instructions from my government, I certainly understood your lordship to say that the subject had already been committed to the care of Lord Lyons, at Washington, with authority to accept the proposition of the government of the United States, adopting three articles of the declaration at Paris, and to drop the fourth altogether. For this reason you preferred not to enter into the question on this side of the water. I am now informed that Lord Lyons thinks his instructions do not authorize him to enter into convention with the authorities at Washington, and am instructed to apprise her Majesty's government of the fact.

Under these circumstances, I am directed once more to renew the proposition here, and to say that, if agreeable to your lordship, I am prepared to present to your consideration a project of a convention at any moment which it may be convenient to you to appoint.

Seizing the occasion to renew the assurance of my highest consideration, I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Honorable Lord JOHN RUSSELL,
&c., &c., &c.

Lord John Russell to Mr. Adams.

FOREIGN OFFICE, *July 13, 1861.*

SIR: I have just had the honor to receive your letter dated the 11th instant. In the first conversation I had the honor to hold with you, on the 18th of

May, I informed you that instructions had been sent to Lord Lyons to propose to the government of the United States to adopt the second, third, and fourth articles of the declaration of Paris, dropping the first altogether.

You informed me that you had instructions on the same subject; but I understood you to express an opinion, in which I fully concurred, that it would be well to leave the question in the hands of the Secretary of State at Washington.

Lord Lyons had instructions to make an agreement with the government of the United States, but he had no express authority to sign a convention.

The States who have adhered to the declaration of Paris have generally, if not invariably, done so by despatches or notes, and not by conventions.

As, however, you have been instructed to present to her Majesty's government, for consideration, a project of a convention, I shall be happy to see you at the foreign office at three o'clock to-day, for the purpose of receiving that project.

I request you to receive the assurance of my highest consideration, and have the honor to be, sir, your most obedient servant,

J. RUSSELL.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Lord John Russell to Mr. Adams.

FOREIGN OFFICE, July 18, 1861.

SIR: Upon considering your propositions of Saturday last I have two remarks to make.

First. The course hitherto followed has been a simple notification of adherence to the declaration of Paris by those states which were not originally parties to it.

Secondly. The declaration of Paris was one embracing various powers, with a view to general concurrence upon questions of maritime law, and not an insulated engagement between two powers only.

Her Majesty's government are willing to waive entirely any objection on the first of these heads, and to accept the form which the government of the United States prefers.

With regard to the second, her Majesty's government are of opinion that they should be assured that the United States are ready to enter into a similar engagement with France, and with other maritime powers who are parties to the declaration of Paris, and do not purpose to make singly and separately a convention with Great Britain only.

But as much time might be required for separate communications between the government of the United States and all the maritime powers who were parties to or have acceded to the declaration of Paris, her Majesty's government would deem themselves authorized to advise the Queen to conclude a convention on this subject with the President of the United States so soon as they shall have been informed that a similar convention has been agreed upon, and is ready for signature, between the President of the United States and the Emperor of the French, so that the two conventions might be signed simultaneously and on the same day.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. RUSSELL.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 42.]

DEPARTMENT OF STATE,
Washington, July 21, 1861.

SIR: Your despatch of June 28, No. 10, has been received.

I have already, in a previous communication, informed you that this government has not been disturbed by the action of the British authorities in sending three regiments into Canada, nor by the announcement of the coming of British armed vessels into American waters. These movements are certainly not very formidable in their proportions; and we willingly accept the explanation that they proceed from merely prudential motives.

Doubtless it had been better if they had not been made. But what government can say that it never acts precipitately, or even capriciously. On our part the possibility of foreign intervention, sooner or later, in this domestic disturbance is never absent from the thoughts of this government. We are, therefore, not likely to exaggerate indications of an emergency for which we hold ourselves bound to be in a measure always prepared.

Another subject which, according to your report, was discussed in your late interview with Lord John Russell demands more extended remarks. I refer to the portion of your despatch which is in these words: "His lordship then said something about difficulties in New Grenada, and the intelligence that the insurgents there had passed a law to close their ports. But the law officers here told him that this could not be done as against foreign nations, except by the regular form of a blockade. He did not know what we thought about it; but he had observed that some such plan was said to be likely to be adopted at the coming meeting of Congress in regard to the ports of those whom we considered as insurgents."

Much as I deprecate a reference in official communications of this kind to explanations made by ministers in Parliament, not always fully or accurately reported, and always liable to be perverted when applied to cases not considered when the explanations are given, I nevertheless find it necessary, by way of elucidating the subject, to bring into this connexion the substance of a debate which is said to have taken place in the House of Commons on the 27th of June last, and which is as follows:

Mr. H. Berkly asked the secretary of state for foreign affairs whether her Majesty's government recognized a notification given by Señor Martin, minister plenipotentiary to this court from the Grenadian confederation, better known as the Republic of New Grenada, which announces a blockade of the ports of Rio Hacha, Santa Marta, Savanilla, Carthagena, and Zaporte, and which government did her Majesty's government recognize in the so-called Grenadian confederation.

Lord John Russell said the question is one of considerable importance. The government of New Grenada has announced, not a blockade, but that certain ports of New Grenada are to be closed. The opinion of her Majesty's government, after taking legal advice, is, that it is perfectly competent for the government of a country in a state of tranquillity to say which ports shall be open to trade and which shall be closed; but in the event of insurrection or civil war in that country, it is not competent for its government to close the ports that are *de facto* in the hands of the insurgents, as that would be an invasion of international law with regard to blockade. Admiral Milne, acting on instructions from her Majesty's government, has ordered the commanders of her Majesty's ships not to recognize the closing of their ports.

Since your conversation with Lord John Russell, and also since the debate which I have extracted occurred, the Congress of the United States has by

law asserted the right of this government to close the ports in this country which have been seized by the insurgents.

I send you herewith a copy of the enactment. The connecting by Lord John Russell of that measure when it was in prospect with what had taken place in regard to a law of New Granada, gives to the remarks which he made to you a significance that requires no especial illustration. If the government of the United States should close their insurrectionary ports under the new statute, and Great Britain should, in pursuance of the intimation made, disregard the act, no one can suppose for a moment that the United States would acquiesce. When a conflict on such a question shall arrive between the United States and Great Britain, it is not easily to be seen what maritime nation could keep aloof from it. It must be confessed, therefore, that a new incident has occurred increasing the danger that what has hitherto been, and, as we think, ought to be, a merely domestic controversy of our own, may be enlarged into a general war among the great maritime nations. Hence the necessity for endeavoring to bring about a more perfect understanding between the United States and Great Britain for the regulation of their mutual relations than has yet been attained.

In attempting that important object I may be allowed to begin by affirming that the President deprecates, as much as any citizen of either country or any friend of humanity throughout the world can deprecate, the evil of foreign wars, to be superinduced, as he thinks unnecessarily, upon the painful civil conflict in which we are engaged for the purpose of defending and maintaining our national authority over our own disloyal citizens.

I may add, also, for myself, that however otherwise I may at any time have been understood, it has been an earnest and profound solicitude to avert foreign war; that alone has prompted the emphatic and sometimes, perhaps, impassioned remonstrances I have hitherto made against any form or measure of recognition of the insurgents by the government of Great Britain. I write in the same spirit now; and I invoke on the part of the British government, as I propose to exercise on my own, the calmness which all counsellors ought to practise in debates which involve the peace and happiness of mankind.

The United States and Great Britain have assumed incompatible, and thus far irreconcilable, positions on the subject of the existing insurrection.

The United States claim and insist that the integrity of the republic is unbroken, and that their government is supreme so far as foreign nations are concerned, as well for war as for peace, over all the States, all sections, and all citizens, the loyal not more than the disloyal, the patriots and the insurgents alike. Consequently they insist that the British government shall in no way intervene in the insurrection, or hold commercial or other intercourse with the insurgents in derogation of the federal authority.

The British government, without having first deliberately heard the claims of the United States, announced, through a proclamation of the Queen, that it took notice of the insurrection as a civil war so flagrant as to divide this country into two belligerent parties, of which the federal government constitutes one and the disloyal citizens the other; and consequently it inferred a right of Great Britain to stand in an attitude of neutrality between them.

It is not my purpose at this time to vindicate the position of the United States, nor is it my purpose to attempt to show to the government of Great Britain that its position is indefensible.

The question at issue concerns the United States primarily, and Great Britain only secondarily and incidentally. It is, as I have before said, a question of the integrity, which is nothing less than the life of the republic itself.

The position which the government has taken has been dictated, there-

fore, by the law of self-preservation. No nation animated by loyal sentiments and inspired by a generous ambition can even suffer itself to debate with parties within or without a policy of self-preservation. In assuming this position and the policy resulting from it, we have done, as I think, just what Great Britain herself must, and therefore would do if a domestic insurrection should attempt to detach Ireland, or Scotland, or England from the United Kingdom, while she would hear no argument nor enter into any debate upon the subject. Neither adverse opinions of theoretical writers, nor precedents drawn from the practice of other nations, or, even if they could be, from her own, would modify her course, which would be all the more vigorously followed if internal resistance should fortify itself with alliances throughout the world. This is exactly the case now with the United States.

So, for obvious reasons, I refrain from argument to prove to the government of Great Britain the assumed error of the position it has avowed.

First. Argument from a party that maintains itself to be absolutely right, and resolved in no case to change its convictions, becomes merely controversial. Secondly. Such argument would be only an indirect way of defending our own position, which is unchangeable. Thirdly. The position of Great Britain has been taken upon the assumption of a certain degree of probability of success by the insurgents in arms; and it must be sooner or later abandoned, as that probability shall diminish and ultimately cease, while in any case that circumstance does not affect our position or the policy which we have adopted. It must, therefore, be left to Great Britain to do what we have done, namely, survey the entire field, with the consequences of her course deemed by us to be erroneous, and determine as those consequences develop themselves how long that course shall be pursued.

While, however, thus waiving controversy on the main point, I am tempted by a sincere conviction that Great Britain really must desire, as we do, that the peace of the world may not be unnecessarily broken, to consider the attitude of the two powers, with a view to mutual forbearance, until reconciliation of conflicting systems shall have become in every event impossible.

The British government will, I think, admit that so soon as its unexpected, and, as we regard it, injurious position assumed in the Queen's proclamation became known to us, we took some pains to avert premature or unnecessary collision, if it could be done without sacrificing any part of the sovereignty which we had determined in every event to defend. We promptly renewed the proposition which, fortunately for both parties, we had tendered before that proclamation was issued, to concede as one whole undivided sovereignty to Great Britain, as a friend, all the guarantees for her commerce that she might claim as a neutral from this government as one of her two imagined belligerents. It seemed to us that these two great and kindred nations might decline to be dogmatic, and act practically with a view to immediate peace and ultimate good understanding.

So, on the other hand, it is my duty to admit, as I most frankly do, that the directions given by the British government that our blockade shall be respected, and that favor or shelter shall be denied to insurgent privateers, together with the disallowance of the application of the insurgent commissioners, have given us good reason to expect that our complete sovereignty, though theoretically questioned in the Queen's proclamation, would be practically respected. Lord Lyons, as you are aware, proposed to read to me a despatch which he had received from his government, affirming the position assumed in the Queen's proclamation, and deducing from that position claims as a neutral to guarantees of safety to British commerce less than those we had, as I have already stated, offered to her as a friend. I de-

clined, as you have been advised, to hear the communication, but nevertheless renewed through you, as I consistently could, the offer of the greater guarantees before tendered.

The case then seemed to me to stand thus: The two nations had, indeed, failed to find a common ground or principle on which they could stand together; but they had succeeded in reaching a perfect understanding of the nature and extent of their disagreement, and in finding a line of mutual, practical forbearance. It was under this aspect of the positions of the two governments that the President thought himself authorized to inform Congress on its coming together on the 4th of July instant, in extra session that the sovereignty of the United States was practically respected by all nations.

Nothing has occurred to change this condition of affairs, unless it be the attitude which Lord John Russell has indicated for the British government, in regard to an apprehended closing of the insurrectionary ports, and the passage of the law of Congress which authorizes that measure in the discretion of the President.

It is my purpose not to anticipate or even indicate the decision which will be made, but simply to suggest to you what you may properly and advantageously say while the subject is under consideration. First. You will, of course, prevent misconception of the measure by stating that the law only authorizes the President to close the ports in his discretion, according as he shall regard exigencies now existing or hereafter to arise.

Secondly. The passage of the law, taken in connexion with attendant circumstances, does not necessarily indicate a legislative conviction that the ports ought to be closed, but only shows the purpose of Congress that the closing of the ports, if it is now or shall become necessary, shall not fail for want of power explicitly conferred by law. When, on the 13th of April last, disloyal citizens defiantly inaugurated an armed insurrection by the bombardment of Fort Sumter, the President's constitutional obligation to suppress the insurrection became imperative.

But the case was new, and had not been adequately provided for by express law. The President called military and naval forces into activity, instituted a blockade, and incurred great expense, for all which no direct legal provisions existed. He convened Congress at the earliest possible day to confirm these measures, if they should see fit.

Congress, when it came together, confronted these facts. It has employed itself less in directing how and in what way the Union shall be maintained, than in confirming what the President had already done, and in putting into his hands more ample means and greater power than he has exercised or asked.

The law in question was passed in this generous and patriotic spirit. Whether it shall be put into execution to-day or to-morrow, or at what time, will depend on the condition of things at home and abroad, and a careful weighing of the advantages of so stringent a measure against those which are derived from the existing blockade.

Thirdly. You may assure the British government that no change of policy now pursued, injuriously affecting foreign commerce, will be made from motives of aggression against nations which practically respect the sovereignty of the United States, or without due consideration of all the circumstances, foreign as well as domestic, bearing upon the question. The same spirit of forbearance towards foreign nations, arising from a desire to confine the calamities of the unhappy contest as much as possible, and to bring it to a close by the complete restoration of the authority of the gov-

ernment as speedily as possible, that have hitherto regulated the action of the government will continue to control its counsels.

On the other hand, you will not leave it at all doubtful that the President fully adheres to the position that this government so early adopted, and which I have so continually throughout this controversy maintained; consequently he fully agrees with Congress in the principle of the law which authorizes him to close the ports which have been seized by the insurgents, and he will put into execution and maintain it with all the means at his command, at the hazard of whatever consequences, whenever it shall appear that the safety of the nation requires it.

I cannot leave the subject without endeavoring once more, as I have so often done before, to induce the British government to realize the conviction which I have more than once expressed in this correspondence, that the policy of the government is one that is based on interests of the greatest importance, and sentiments of the highest virtue, and therefore is in no case likely to be changed, whatever may be the varying fortunes of the war at home or the action of foreign nations on this subject, while the policy of foreign States rests on ephemeral interests of commerce or of ambition merely. The policy of these United States is not a creature of the government but an inspiration of the people, while the policies of foreign States are at the choice mainly of the governments presiding over them. If, through error, on whatever side this civil contention shall transcend the national bounds and involve foreign States, the energies of all commercial nations, including our own, will necessarily be turned to war, and a general carnival of the adventurous and the reckless of all countries, at the cost of the existing commerce of the world, must ensue. Beyond that painful scene upon the seas there lie, but dimly concealed from our vision, scenes of devastation and desolation which will leave no roots remaining out of which trade between the United States and Great Britain, as it has hitherto flourished, can ever again spring up.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 20.]

LEGATION OF THE UNITED STATES,
London, July 26, 1861.

SIR: At the close of my despatch, No. 17, on the subject of my last conference with Lord John Russell, I mentioned my intention to write to Mr. Dayton, at Paris, to know whether he felt authorized to proceed in a simultaneous negotiation on the subject of the declaration of the congress at Paris. I have now to report that I executed my purpose on the 19th instant.

On the evening of the 24th I received a note from Mr. Dayton announcing his arrival in town and his wish to confer with me upon this matter.

Yesterday morning I had the pleasure of a full and free conversation with him, in the course of which we carefully compared our respective instructions and the action taken under them.

I am very glad he has taken the trouble to come over to see me, for I confess that I was a little embarrassed by not knowing the precise nature of his proposal to the French government at the time when I heard of it from Lord John Russell. Had I been informed of it I should perhaps have shaped my own course a little differently. So I doubt not that he would

have been pleased to know more exactly my own proceedings as well as the more specific character of my instructions. An hour's interview has had the effect to correct our impressions better than could have been accomplished by an elaborate correspondence.

I can now perfectly understand as well as enter into the reasons which prompted his proposal of the declaration of Paris, connected as it was with the modification first suggested by Mr. Marcy. There can be no doubt that the attempt to secure such an extension of the application of the principle contained in the first point of that declaration was worth making, on the part of the new administration, particularly at a place where there was no reason to presume any disinclination to adopt it. Neither did the reply of Mr. Thouvenel entirely preclude the hope of ultimate success, so far as the disposition of France may be presumed.

The obstacles, if any there are, must be inferred to have been thought to exist elsewhere. And an advance could be expected only when the efforts to remove them had been applied with effect in the proper quarter. It was, therefore, both natural and proper for Mr. Dayton, after having made his offer, and received such an answer, to wait patiently until it should become apparent that such efforts had been made, and made without success.

There can be no doubt that the opposition to this modification centres here. Independently of the formal announcement of Lord John Russell to me that the proposition was declined, I have, from other sources of information, some reason to believe that it springs from the tenacity of a class of influential persons, by their age and general affinities, averse to all sudden variations from established ideas. Such people are not to be carried away by novel reasoning, however forcible. We have cause to feel the presence of a similar power at home, though in a vastly reduced degree.

All modifications of the public law, however beneficent, naturally meet with honest resistance in these quarters for a time. It is to be feared that this may have the effect of defeating, at this moment, the application of the noble doctrines of the declaration of Paris, in the full expansion of which they are susceptible. But to my mind the failure to reach that extreme point will not justify the United States in declining to accept the good which is actually within their grasp. The declaration of the leading powers of civilized Europe, made at Paris in 1856, engrafted upon the law of nations for the first time great principles for which the government of the United States had always contended against some of those powers, and down to that time had contended in vain.

That great act was the virtual triumph of their policy all over the globe. It was the sacrifice, on the part of Great Britain, of notions she had ever before held to with the most unrelenting rigidity. It would therefore seem as if any reluctance to acknowledge this practical amount of benefit, obtained on the mere ground that something remained to require, was calculated only to wither the laurels gained by our victory.

It would almost seem like a retrograde tendency to the barbarism of former ages. Surely it is not in the spirit of the reformed government in America to give countenance to any such impression. Whatever may have been the character of the policy in later years, the advent of another and a better power should be marked by a recurrence to the best doctrines ever proclaimed in the national history. And if it so happen that they are not now adopted by others to the exact extent that we would prefer, the obvious course of wisdom would seem to be to accept the good which can be obtained, and patiently to await another opportunity when a continuance of exertions in the same direction may enable us to secure everything that is left to be desired.

I think that Mr. Dayton has waited only to be convinced that his proposed

modification cannot be secured before he acts upon the authority given him to accede to the declaration of Paris, pure and simple.

On my part, I have apprised him of the answer made to me by Lord John Russell at our last conference. But he wishes some evidence upon which he can rely a little more securely than a report of conversation. And considering the remarkable discrepancy in the recollection of the conferences with his lordship which has thus far taken place, I am not surprised. In order to meet this difficulty he has addressed to me a letter of inquiry, which I propose to answer. At the same time I design to address a letter to his lordship recapitulating the portion of his conversation that is in question, and informing him that, *on the assumption that I understood him right*, Mr. Dayton consents to proceed. This will, of course, render it necessary for him to explain himself, if the fact should be otherwise.

Mr. Dayton will, of course, communicate directly with the department as to the later measures which he may think proper to take.

You will have been already informed by the newspapers of the changes which the ministry has undergone in consequence of the necessity imposed upon Lord Herbert by his failing health to retire from his post. As a consequence, Lord John Russell has been called to the House of Lords, though retaining his official station, and some shifting of other places has occurred. The only new appointment is that of Sir Robert Peel.

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But I have not time at the close of this communication to enter into any speculations so intimately connected with a general view of the state of affairs in the other countries of Europe as well as in the United States. I shall therefore reserve what views I may have to submit on this subject to a future opportunity.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

[Confidential.]

No 46.]

DEPARTMENT OF STATE,

Washington, July 26, 1861.

SIR: My despatch, No. 42, dated July 21, was delayed beyond the proper mail day by circumstances entirely beyond my control. I trust, however, that it will still be in time.

Our army of the Potomac on Sunday last met a reverse equally severe and unexpected. For a day or two the panic which had produced the result was followed by a panic that seemed to threaten to demoralize the country. But that evil has ceased already. The result is already seen in a vigorous reconstruction upon a scale of greater magnitude and increased enthusiasm.

It is not likely that anything will now be done here, hastily or inconsiderately, affecting our foreign relations.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

[Confidential.]

No. 49.]

DEPARTMENT OF STATE,
Washington, July 29, 1861.

SIR: Your despatch of July 12, 1861, No 14, has been received.

Your proposition of making a distinct appeal to the British government on the subject of the issue between it and this government, upon the questions so long discussed, is approved. We shall look with much interest for the answer of that government.

You will hear of a reverse of our arms in Virginia. The exaggerations of the result have been as great as the public impatience, perhaps, which brought it about. But the affair will not produce any serious injury. The strength of the insurrection is not broken, but it is not formidable. The vigor of the government will be increased, and the ultimate result will be a triumph of the Constitution. Do not be misled by panic reports of danger apprehended for the capital.

Some important points in your despatch will be treated of in another paper.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,
London, August 2, 1861.

SIR: I have the honor to transmit the copy of a note addressed by me, on the 29th of July last, to Lord John Russell, and likewise a copy of his lordship's reply. I must frankly admit that I do not understand the meaning of the last paragraph.

I have transmitted a copy of his lordship's note to Mr. Dayton. I doubt not that it will be deemed by him so far satisfactory as to induce him to take the necessary measures for a simultaneous negotiation as soon as the customary arrangements with the French government can be made.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WM. H. SEWARD,
Secretary of State, Washington, D. C.

LEGATION OF THE UNITED STATES,
London, July 29, 1861.

MY LORD: I have the honor now to inform your lordship that, in consonance with the intention expressed in my note of the 19th instant, I have written to Mr. Dayton, at Paris, touching the extent of his powers to negotiate upon the same basis proposed by me to you, with the government of France, to which he is accredited. I have also to say that since the date of my writing I have had the pleasure to converse personally with him as well as to receive a letter from him in answer to my inquiry.

Mr. Dayton informs me that, some time since, he made a proposal to the French government to adopt the declaration of the congress of Paris in 1856, with an addition to the first clause, in substance the same with that

heretofore proposed by his predecessor, Mr. Mason, under instructions given by Mr. Marcy, then the Secretary of State of the United States. To that proposal he received an answer from the French minister of foreign affairs, declining to consider the proposition, not for any objection entertained against it, but because it was a variation from the terms of the original agreement requiring a prior reference of it to the other parties to that convention. This answer does not, in his opinion, make the ultimate acceptance of his addition impossible, and he does not feel as if he ought to abandon the support of what he considers as so beneficent an amendment to the original plan until he has reason to despair of success. He has therefore requested to know of me whether I have reason to believe perseverance in this direction to be fruitless.

For my part I entirely concur in the view entertained by Mr. Dayton of the value of this amendment. I also know so well the interest that my government takes in its adoption as to be sure that it would refuse to justify a further procedure on our part which was not based upon a reasonable certainty that success is not attainable, at least at the present moment. I have, therefore, ventured to state to Mr. Dayton my belief that I have that certainty. I have therefore mentioned to him, what I have likewise communicated to the proper department of the government of the United States, the fact that in the last conference I had the honor to hold with your lordship, allusion having been made to the amendment of Mr. Dayton, I said that that amendment was undoubtedly the first wish of my government, and that I had instructions to press it if there was the smallest probability of success, but that I supposed this matter to have been already definitively acted upon. To which I understood your lordship to signify your assent, and to add that I might consider the proposition as inadmissible. If I have made no mistake in reporting the substance of what passed between us, Mr. Dayton tells me he is satisfied, and expresses his readiness to proceed on the basis proposed by me to your lordship with the French government. But in order to remove all probability of misconception between him and myself, I have taken the liberty of recalling your lordship's attention to the matter before it may be too late. Should there have been any essential error of fact on the main point, I trust your lordship will do me the favor to set me right.

Should it happen, on the contrary, that I am correct, I believe it will not be necessary to interpose any delay in the negotiation for further reference to the government of the United States. Mr. Dayton will take the necessary steps to apprise the government of the Emperor of the French of his intention to accede to the declaration of Paris, pure and simple, and the negotiations may be carried on simultaneously in both countries as soon as the necessary arrangements can be perfected on the respective sides.

However my government may regret that it has not been able to expand the application of the principles of the declaration of Paris to the extent which it deems desirable, it is too well convinced of the great value of the recognition actually given to those principles by the great powers of Europe in that act, longer to hesitate in giving in its cordial adhesion. But it ardently cherishes the hope that time and the favoring progress of correct opinion may before long bring about opportunities for additional developments of the system they initiate, through the co-operation of all maritime nations of the earth, and most especially of one so enlightened and philanthropic as Great Britain.

Renewing the assurances of my highest consideration, I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. Lord JOHN RUSSELL, &c., &c., &c.

FOREIGN OFFICE, *July 31, 1861.*

SIR: I have had the honor to receive your letter of the 29th instant, in which you inform me that Mr. Dayton, some time since, made a proposal to the French government to adopt the declaration of the congress of Paris in 1856, with an addition to the first clause, in substance the same with that heretofore proposed by his predecessor, Mr. Mason, under instructions given by Mr. Marcy, then the Secretary of State of the United States. After giving an account of the reception given to that proposition by the French government, and the value attached to it by Mr. Dayton and yourself, you proceed to state that in a conversation with me you told me that the addition proposed was the first wish of your government, and that you had instructions to press it if there was the smallest probability of success, but that you supposed this matter to have been already definitively acted upon. You represent me as signifying my assent, and adding that I considered the proposition as inadmissible.

So far as I am concerned, this statement is perfectly correct.

You go on to inform me that in the case of your statement being correct, Mr. Dayton will take the necessary steps to apprise the French government of his intention to accede to the declaration of Paris, "pure and simple, and that the negotiations may be carried on simultaneously in both countries as soon as the necessary arrangements can be perfected on the respective sides."

You will doubtless recollect that in my letter of the 18th instant, I stated that "her Majesty's government are of opinion that they should be assured that the United States are ready to enter into a similar engagement with France, and with the other maritime powers who are parties to the declaration of Paris, and do not propose to make simply and separately a convention with Great Britain only."

But as I agreed in the same letter to waive this assurance, and as I conclude, in point of fact, the United States are willing to sign similar conventions with all the states parties to the declaration of Paris, I shall be ready to carry on the negotiations as soon as the necessary arrangements can be perfected in London and Paris, so that the conventions may be signed simultaneously at those two capitals.

I need scarcely add that on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. RUSSELL.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 55.]

DEPARTMENT OF STATE,
Washington, August 6, 1861.

SIR: Your despatch, No. 17, of the date of July 19th, has been received.

I entirely approve of the letter which you addressed to Lord John Russell, of the 11th, a copy of which accompanied that despatch, and I wait now with impatience, yet not without some solicitude, for the action of the British government upon our propositions which we so early sent forward in good faith, and which by such strange accidents have been so long in reaching the cabinet of Great Britain.

I need hardly tell you that the same mail which conveyed our propositions

concerning maritime rights for the consideration of the British government, carried also propositions literally the same for the consideration of the French government, and that of every other maritime power in Europe.

All those powers are understood to be awaiting the action of the government of Great Britain.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 58.]

DEPARTMENT OF STATE,
Washington, August 12, 1861.

SIR: Your despatch of July 24th (No. 20) has been received. I am glad that you have had a full and satisfactory conversation with Mr. Dayton. It seems probable that we shall now be able to arrive at an understanding with the governments of Great Britain and France on the subject of international law relating to maritime war.

The shock produced by the reverse of our arms at Bull Run has passed away. The army is reorganized; the elections show that reaction against disunion has begun in the revolutionary States, and we may confidently look for a restoration of the national authority throughout the Union.

If our foreign relations were once promptly re-established on their former basis, the disunion sentiment would languish and perish within a year.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extract.]

No. 29.]

LEGATION OF THE UNITED STATES,
London, August 16, 1861.

SIR: I have read with great attention the contents of your despatch, No. 42, dated the 21st July, and shall avail myself of the argument upon the next occasion of an interview with Lord Russell. But I have not thought it necessary to solicit one, for the reason that the government here does not appear to contemplate any change of position, so long as the blockade shall be kept up.

In the last conference which I had with his lordship, I took occasion towards the close of it to intimate to him that he must not infer, from my not having entered into discussion of the merits of the question, that I gave any assent to the position taken by him about the right of a government to close its own ports, when held by forcible possession of persons resisting its authority. On the contrary, I desired to reserve for my government the treatment of it as an open question whenever it should take any practical shape.

In the meantime I had every reason to believe that it was the design of the President to persevere in the blockade, and to that end that the necessary forces were in constant process of accumulation. This course, being understood to be one against which his lordship had signified an intention not to raise any objection, I did not think it worth while now to go further.

At the time of this interview no mention had been made of the precise form of the legislation contemplated by Congress. We received more precise intelligence on this side of the water a few days before the prorogation of Parliament. On the very last day for transacting business the subject was brought up in the House of Commons on a question addressed to Lord Palmerston by Mr. Wyld. His lordship's answer has doubtless attracted your attention long ere this. He considered the law as merely giving a discretionary power. But if carried into practice he construed it as putting an end to the blockade. So that, whether under blockade or under a levy of duties, foreign nations would have a rule to go by. His reply was, however, rather specious than solid, for it did not touch the difficulty presented by the fourth section, nor that involved in a possible levy of a double set of duties, one by the government on ship-board, and another by the insurgents on land. I am inclined to believe that serious objection would be made here in either of these contingencies. For this reason I do not deem it expedient to stir the matter until the necessity for it shall become positive. Believing the government to be on the whole favorably disposed towards us, and also that it is of great importance to avoid all complications of the present struggle which would practically benefit the insurgents, I shall delay to open any sources of controversy which I think may be avoided until especially instructed to do otherwise.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 61.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: Your despatch of August 2 (No. 22) has been received. It is accompanied by a correspondence which has just taken place between yourself and Lord John Russell, with a view, on your part, to remove possible obstructions against the entrance upon negotiations, with which you have so long been charged, for an accession on our part to the declaration of the congress of Paris on the subject of the rights of neutrals in maritime war. It was also understood by you that a further result of the correspondence would be to facilitate, indirectly, the opening of similar negotiations for a like object, by Mr. Dayton, with the government of France.

Your letter to Lord John Russell is judicious, and is approved. Lord John Russell's answer is satisfactory, with the exception of a single passage, upon which it is my duty to instruct you to ask the British secretary for foreign affairs for an explanation.

That passage is as follows:

"I need scarcely add that on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done."

A brief statement of the objects of the proposed negotiation will bring the necessity for an explanation of this passage into a strong light. We have heretofore proposed to other maritime states certain meliorations of the laws of maritime war affecting the rights of neutrals. These meliorations are: 1st. That the neutral flag shall protect enemy's goods not contraband of war. 2d. That the goods of neutrals, not contraband, though found

under an enemy's flag, shall not be confiscated. 3d. That blockades, to be respected, must be effective.

The congress at Paris adopted these three principles, adding a fourth, namely, that privateering shall be abolished. The powers which constituted that congress invited the adhesion of the United States to that declaration. The United States answered that they would accede on condition that the other powers would accept a fifth proposition, namely, that the goods of private persons, non-combatants, should be exempt from confiscation in maritime war.

When this answer was given by the United States, the British government declined to accept the proposed amendment, or fifth proposition, thus offered by the United States, and the negotiation was then suspended. We have now proposed to resume the negotiation, offering our adhesion to the declaration of Paris, as before, with the amendment which would exempt private property from confiscation in maritime war.

The British government now, as before, declares this amendment or fifth proposition inadmissible. It results that, if the United States can at all become a party to the declaration of the congress of Paris by the necessary consent of the parties already committed to it, this can be done only by their accepting that declaration without any amendment whatever, in other words, "pure and simple." Under these circumstances you have proposed in your letter to Lord John Russell to negotiate our adhesion to the declaration in that form. It is at this stage of the affair that Lord John Russell interposes, by way of caution, the remark, that "on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done."

I need dwell on this remark only one moment to show that, although expressed in a very simple form and in a quite casual manner, it contains what amounts to a preliminary condition, which must be conceded by the United States to Great Britain, and either be inserted in the convention, and so modify our adhesion to the declaration of Paris, or else must be in some confidential manner implied and reserved, with the same effect.

Upon principle this government could not consent to enter into formal negotiations, the result of which, as expressed in a convention, should be modified or restricted by a tacit or implied reservation. Even if such a proceeding was compatible with our convictions of propriety or of expediency, there would yet remain an insuperable obstacle in the way of such a measure.

The President can only initiate a treaty. The treaty negotiated can come into life only through an express and deliberate act of ratification by the Senate of the United States, which ratification sanctions, in any case, only what is set down in the treaty itself. I am not, by any means, to be understood in these remarks as implying a belief that Lord John Russell desires, expects, or contemplates the practice of any reservation on the part of the United States or of Great Britain. The fact of his having given you the caution upon which I am remarking, would be sufficient, if evidence were necessary, to exclude any apprehension of that sort. It results from these remarks that the convention into which we are to enter must contain a provision to the effect that "the engagements" to be made therein are "on the part of Great Britain prospective, and will not invalidate anything already done."

I must, therefore, now discuss the propriety of inserting such a stipulation in the convention which you have been authorized to consummate. The proposed stipulation is divisible into two parts, namely: First. That the engagements of Great Britain are "prospective" [only.]

I do not see any great objection to such an amendment. But why should

it be important. A contract is always prospective, and prospective only, if it contains no express stipulation that it shall be retrospective in its operation. So much, therefore, of the stipulation asked is unnecessary, while, if conceded, it might possibly give occasion to misapprehension as to its effect. You will, therefore, decline to make such a condition without first receiving a satisfactory explanation of its meaning and its importance.

The second part of the proposed condition is, that the "engagement will not invalidate anything already done." I am not sure that I should think this proposed condition exceptionable, if its effect were clearly understood. It is necessary, however, to go outside of his lordship's letter to find out what is meant by the words "anything already done." If "anything" pertinent to the subject "has been already done" which ought not to be invalidated, it is clear that it must have been done either by the joint action of the United States and Great Britain, or by the United States only, or by Great Britain acting alone. There has been no joint action of the United States and Great Britain upon the subject. The United States have done nothing affecting it; certainly nothing which they apprehend would be invalidated by the simple form of convention which they propose. I am left to conclude, therefore that the "thing" which "has been done already," and which Great Britain desires shall not be invalidated by the convention, must be something which she herself has done. At the same time we are left to conjecture what that thing is which is thus to be carefully saved. It would be hazardous on our part to assume to know, while I have no doubt that the British government, with its accustomed frankness, and in view of the desirableness of a perfect understanding of the matter, will at once specify what the thing which has been done by her, and which is not to be invalidated, really is. You will, therefore, respectfully ask the right honorable secretary for foreign affairs for an explanation of the part of his letter which I have thus drawn under review, as a preliminary to any further proceedings in the proposed negotiation.

You will perform this in such a manner as to show that the explanation is asked in no querulous or hypercritical spirit. Secondly, you will perform it with reasonable promptness, so that the attainment of the important object of the negotiation may not be unnecessarily delayed; and, thirdly, you will assure the British government that while the United States at present see no reason to think that the stipulation proposed is necessary or expedient, yet, in view of the great interests of commerce and of civilization which are involved, they will refuse nothing which shall be really just or even non-essential and not injurious to themselves, while of course I suppose they are not expected in any way to compromise their own national integrity, safety, or honor.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 63.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: Alexander H. Schultz, a special messenger, will deliver to you this despatch, together with a bag containing papers addressed to Lord John Russell.

On the 5th instant I was advised by a telegram from Cincinnati that Robert Mure, of Charleston, was on his way to New York to embark at that port for England, and that he was a bearer of despatches from the usurping insurrectionary authorities of Richmond to Earl Russell. Other information bore that he was a bearer of despatches from the same authorities to their agents in London. Information from various sources agreed in the fact that he was travelling under a passport from the British consul at Charleston.

Upon this information I directed the police at New York to detain Mr. Mure and any papers which might be found in his possession until I should give further directions. He was so detained, and he is now in custody at Fort Lafayette, awaiting full disclosures. In his possession were found seventy letters, four of which were unsealed and sixty-six sealed. There was also found in his possession a sealed bag marked "Foreign Office, 3," with two labels, as follows: "On Her Brit. Maj. service. The Right Honorable the Lord John Russell, M. P., &c., &c., &c. Despatches in charge of Robert Mure, Esq." signed Robert Bunch. "On Her Brit. Maj. service. The Right Honorable the Lord John Russell, M. P., H. B. M.'s Principal Secretary of State for Foreign Affairs, Foreign Office, London, R. Bunch." The bag bears two impressions of the seal of office of the British consul at Charleston, and seems to contain voluminous papers.

There were also found upon Mr. Mure's person, in an open envelope, what pretends to be a passport in the following words.—(See Annex A.)

Also a letter of introduction, which is as follows.—(See Annex B.)

There were also found several unsealed copies of a printed pamphlet entitled "A narrative of the Battles of Bull Run and Manassas Junction, July 18th and 21st. Accounts of the advance of both armies, the battles and rout of the enemy, compiled chiefly from the detailed reports of the Virginia and South Carolina press; Charleston, Steam Power Presses of Evans & Cogswell, No. 3 Broad, and 103 East Bay streets, 1861."

This pamphlet is manifestly an argument for the disunion of the United States. Several copies of it were found addressed to persons in England.

The marks and outward appearance of the bag indicate that its contents are exclusively legitimate communications from the British consul at Charleston to H. B. M.'s government. Nevertheless, I have what seem to be good reasons for supposing that they may be treasonable papers, designed and gotten up to aid parties engaged in arms for the overthrow of this government and the dissolution of the Union. These reasons are: 1st. That I can hardly conceive that there can be any occasion for such very voluminous communications of a legitimate nature being made by the consul at Charleston to his government at the present time. 2d. Consuls have no authority to issue passports, the granting of them being, as I understand, not a consular but a diplomatic function. Passports, however, have, in other times, been habitually granted by foreign consuls residing in the United States. But soon after the insurrection broke out in the Southern States a regulation was made by this department, which I have excellent means of knowing was communicated to the British consul at Charleston, to the effect that, until further orders, no diplomatic or consular passports would be recognized by this government, so far as to permit the bearer to pass through the lines of the national forces or out of the country unless it should be countersigned by the Secretary of State and the commanding general of the army of the United States. Mr. Mure had passed the lines of the army, and was in the act of leaving the United States in open violation of this regulation. Moreover, the bearer of the papers, Robert Mure, is a naturalized citizen of the United States, has resided here thirty years, and is a colonel in the insurgent military forces of South Carolina.

3d. If the papers contained in the bag are not illegal in their nature or purpose, it is not seen why their safe transmission was not secured, as it might have been by exposing them in some way to Lord Lyons, British minister residing at this capital, whose voucher for their propriety, as Mr. Bunch must well know, would exempt them from all scrutiny or suspicion. 4th. The consul's letter to the bearer of dispatches attaches an unusual importance to the papers in question, while it expresses great impatience for their immediate conveyance to their destination, and an undue anxiety lest they might, by some accident, come under the notice of this government. 5th. The bearer is proved to be disloyal to the United States by the pamphlet and the letters found in his possession.

I have examined many of the papers found upon the person of Mr. Mure, and I find them full of treasonable information, and clearly written for treasonable purposes. These, I think, will be deemed sufficient grounds for desiring the scrutiny of the papers and surveillance of the bearer on my part.

Comity towards the British government, together with a perfect confidence in its justice and honor, as well as its friendship towards the United States, to say nothing of a sense of propriety, which I could not dismiss, have prevented me from entertaining, for a moment, the idea of breaking the seals which I have so much reason to believe were put upon the consular bag to save it from my inspection, while the bearer himself might remove them on his arrival in London, after which he might convey the papers, if treasonable, to the agents of the insurgents, now understood to be residing in several of the capitals in Europe.

I will not say that I have established the fact that the papers in question are treasonable in their nature, and are made with purposes hostile and dangerous to this country. But I confess I fear they are so, and I apprehend either that they are guilty despatches to the agents of disunion, or else that, if they are really addressed to the British government, they are papers prepared by traitors in the insurrectionary States, with a view to apply to the British government for some advantage and assistance or countenance from that government injurious to the United States and subversive of their sovereignty. Of course, I need hardly say that I disclaim any thought that Earl Russell has any knowledge of the papers or of their being sent, or that I have any belief or fear that the British government would, in any way, receive the papers if they are illegal in their character, or dangerous or injurious to the United States. It is important, however, to this government that whatever mischief, if any, may be lurking in the transaction, be counteracted and prevented.

I have, therefore, upon due consideration of the case, concluded to send the bag by a special messenger, who will deliver it into your care, and to instruct you to see that it is delivered accordingly to its address in exactly the condition in which you receive it.

You will also make known to the Earl Russell the causes and the circumstances of the arrest and detention of Mr. Mure and his papers, adding the assurance that this government deeply regrets that it has become necessary; and that it will be very desirous to excuse the brief interruption of the correspondence of the British consul, if it is indeed innocent, and will endeavor, in that case, to render any further satisfaction which may be justly required. On the other hand, you will, in such terms as you shall find most suitable and proper, intimate that if the papers in question shall prove to be treasonable against the United States, I expect that they will be delivered up to you for the use of this government, and that her British Majesty's consul at Charleston will, in that case, be promptly made to feel the severe displeasure of the

government which employs him, since there can be no greater crime against society than a perversion by the agent of one government of the hospitality afforded to him by another, to designs against its safety, dignity, and honor.

I think it proper to say that I have apprised Lord Lyons of this transaction, and of the general character of this letter, while he is not in any way compromised by any assent given to my proceedings, or by any opinion expressed by him or asked from him.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES F. ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 64.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: Among the letters found on the person of Robert Mure, mentioned in my despatch No. 63, of this date, there are many which more or less directly implicate Mr. Robert Bunch, the British consul at Charleston, as a conspirator against the government of the United States. The following is an extract from one of them:

"Mr. B., on oath of secrecy, communicated to me also that the *first step* to recognition was taken. He and Mr. Belligny together sent Mr. Trescot to Richmond yesterday, to ask Jeff. Davis, president, to ——— the treaty of ——— to ——— the neutral flag covering neutral goods to be respected. This is the first step of direct treating with our government, so prepare for active business by January 1."

You will submit this information to the British government, and request that Mr. Bunch may be removed from his office, saying that this government will grant an exequatur to any person who may be appointed to fill it, who will not pervert his functions to hostilities against the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES F. ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

No. 32.]

LEGATION OF THE UNITED STATES,
London, August 23, 1861.

SIR: I have the honor to transmit a copy of a note addressed to me by Lord Russell, transmitting to me a copy of a declaration which he proposes to make upon signing the convention, embodying the articles of the declaration of Paris, in conjunction with myself.

I have waited to communicate with Mr. Dayton until I now learn from him that Mr. Thouvenel proposes to him a similar movement on the part of France.

This proceeding is of so grave and novel a character as, in my opinion, to render further action unadvisable until I obtain further instructions; and I find Mr. Dayton is of the same opinion on his side. I propose to address a

letter to his lordship stating my reasons for declining to proceed, as soon as possible, but I fear I shall not have time to get it ready and a copy made in season for the present mail. I shall therefore postpone any further elucidation of my views until the next opportunity. I do so the more readily that I am informed by Mr. Dayton that you have ceased to consider the matter as one of any urgent importance.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

FOREIGN OFFICE, *August 19, 1861.*

SIR: I have the honor to enclose a copy of a declaration which I propose to make upon signing the convention of which you gave me a draft embodying the articles of the declaration of Paris.

I propose to make the declaration in question in a written form, and to furnish you with a copy of it.

You will observe that it is intended to prevent any misconception as to the nature of the engagement to be taken by her Majesty.

If you have no objection to name a day in the course of this week for the signature of the convention, Mr. Dayton can on that day, and at the same time, sign with M. Thouvenel a convention identical with that which you propose to sign with me.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

C. F. ADAMS, Esq., &c., &c., &c.

Draft of Declaration.

In affixing his signature to the convention of this day between her Majesty the Queen of Great Britain and Ireland and the United States of America, the Earl Russell declares, by order of her Majesty, that her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States.

Mr. F. W. Seward to Mr. Adams.

No. 74.]

DEPARTMENT OF STATE,
Washington, August 27, 1861.

SIR: Your despatch of August 8, No. 25, has been received.

The account you have given us of the impression made by the reverse of our arms at Manassas does not surprise me. But there are to be very many fluctuations of opinion in Europe concerning our affairs before the Union will be in danger from any source.

The insurgents are exhausting themselves. We are invigorated even by disappointment. To-day the capital is beyond danger, and forces are accumulating and taking on the qualities which will render them invincible. The Union armies are preparing for movements which will, in a few weeks, remove the war from the present frontier. The blockade is effective, and is working out the best fruits.

We do not at present depart from that policy, but we are preparing for any emergency in our foreign relations.

The sentiment of disunion is losing its expansive force, and every day it grows weaker as a physical power.

I am, sir, respectfully, your obedient servant,

F. W. SEWARD, *Assistant Secretary.*

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

No. 34.]

LEGATION OF THE UNITED STATES,
London, August 30, 1861.

SIR: It is not without regret that I am compelled to announce the failure of the negotiation which I am led, by the tenor of your despatches, Nos. 55 and 58, to infer you considered almost sure to succeed. I have now the honor to transmit the copy of a note addressed by me to Lord Russell on the 23d instant, assigning the reasons why I felt it my duty to take the responsibility of declining to fix a day for signing the convention agreed upon between us, burdened, as it was to be, with a contemporaneous exposition of one of its provisions in the form of an outside declaration made by his lordship on behalf of her Majesty the Queen. I have gone so fully into the matter in that note as to render further explanation unnecessary. At the same time I take the liberty to observe that, in case the President should be of opinion that too much stress has been laid by me upon the objectionable character of that paper, an opening has been left by me for the resumption of the negotiation at any moment under new instructions modifying my views. I transmitted to Mr. Dayton a copy for his information immediately after the original was sent. I have not received any later intelligence from him; but I do not doubt that he will forward to the department by this mail his representation of the state of the corresponding negotiation at Paris, so that the whole subject will be under your eye at the same moment. From the tenor of his last note to me, I was led to infer that M. Thouvenel contemplated a parallel proceeding in the conclusion of his negotiation, and that he regarded it there very much in the same light that I did here.

From a review of the whole course of these proceedings I am led to infer the existence of some influence in the cabinet here adverse to the success of this negotiation. At the time of my last conference with Lord Russell I had every reason, from his manner, to believe that he considered the offer of the project as perfectly satisfactory. The suggestion of a qualification did not make its appearance until after the consultation with his colleagues, when it showed itself first in the enigmatical sentence of his note to me of the 31st of July, of which, in my despatch No. 22 to the department, I confessed my inability to comprehend the meaning, and afterwards in the formal announcement contained in his note of the 19th of August. That the failure of the measure, by reason of it, could not have been altogether unexpected I

infer from Mr. Dayton's report to me of M. Thouvenel's language to him, to the effect that his government would prefer to lose the negotiation rather than to omit making the exception.

Although the matter is not altogether germane to the preceding, I will not close this despatch without calling your attention to the copy of a letter of Lord John Russell to Mr. Edwardes, which I transmit as cut from a London newspaper, *The Globe*. It purports to have been taken from parliamentary papers just published, although I have not seen them, nor have I found it printed in any other newspaper. You will notice the date, the 14th of May, being the very day of my first visit to his lordship in company with Mr. Dallas, when he did not see us, as well as of the publication of the Queen's proclamation. I have reason to believe that the original form of that proclamation described the parties in America in much the same terms used by his Lordship, and that they were only qualified at a very late moment, and after earnest remonstrance. The tone of the letter corresponds very much with that used to me, a report of which was transmitted in my despatch No. 8.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

LEGATION OF THE UNITED STATES,
London, August 23, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to acknowledge the reception of the note of the 19th instant, of Lord Russell, her Majesty's principal secretary of state for foreign affairs, covering the copy of a declaration which his lordship proposes to make upon signing the convention which has been agreed upon between her Majesty the Queen of Great Britain and Ireland, and the United States of America, embodying the articles of the declaration of Paris, and at the same time requesting him to name a day in the course of this week for the signature of the convention, in conjunction with a similar proceeding, to be arranged to take place at Paris, between Mr. Dayton and the minister of foreign affairs on the part of the French government.

The first step rendered necessary by this proposal was that the undersigned should communicate with Mr. Dayton in order to know whether a similar declaration was contemplated on the part of the Emperor of the French, and in case it was, whether Mr. Dayton was still prepared to proceed. Mr. Dayton's letter containing that information was received only yesterday, which fact, in conjunction with a brief absence of the undersigned, will account for the apparent delay in answering his lordship's note.

In order perfectly to understand the position of the undersigned, it will be necessary briefly to recapitulate the particulars of this negotiation. But a few weeks after the accession of the President of the United States to office, his attention was turned to the state in which the negotiation on the subject of the four articles of the declaration of Paris had been left by his predecessor; and his disposition manifested itself to remove so far as he could the obstacles which had been interposed in the way of completing it. To that end, among the duties with which the undersigned was charged immediately upon his arrival at his post, was an instruction at once to make overtures to her Majesty's government for a revival of the negotiation here. And, in case of the manifestation of a favorable disposition, he was further directed to

offer a project of a convention, which he was properly empowered to sign, after satisfying himself that the incorporation of the amendment which had been proposed by Mr. Marcy for the government of the United States, at a former stage of the proceedings, was not attainable.

On the eighteenth of May last, being the day of the first interview had with his lordship, the subject was only opened by the undersigned as one on which he had power to negotiate, and the disposition of her Majesty's government to proceed here was tested. It was then that he received a distinct impression from his lordship that the matter had been already committed to the care of Lord Lyons at Washington, with authority to agree with the government of the United States on the basis of the adoption of three of the articles, and the omission of the fourth altogether. Considering this to be equivalent to declining a negotiation here, and at the same time relieving him from a duty which would be better performed by his own government, the undersigned cheerfully acquiesced in this suggestion, and accordingly wrote home signifying his intention not to renew the subject unless again specifically instructed so to do.

One month passed away, when the Secretary of State of the United States, after a conference with Lord Lyons, learning that his lordship did not confirm the representation of the powers with which the undersigned had understood him to be clothed, and, so far from it, that he did not feel authorized to enter into any convention at all at Washington, directed the undersigned to inform the government in London of this fact, and to propose once more to enter into convention, if agreeable, here.

Immediately upon the receipt of these instructions, the undersigned wrote a letter on the 11th of July, as his lordship may remember, reciting these facts and renewing the question whether a proposal of negotiation at this place would be acceptable to her Majesty's government. To this letter a favorable reply was received on the 13th, and an interview took place the same day, at which, after ascertaining that the amendment desired by his government would not be successful, the undersigned had the honor to present to his lordship the project in the same form in which it had been, nearly two months before, placed in his hands, and in which it has been since accepted, and to offer a copy of his powers to negotiate. His lordship, after examining the former, remarked that he would take it for consultation with his colleagues, and in the meantime that there was no necessity for a copy of the powers.

The next step in the negotiation was the receipt, by the undersigned, of a letter from his lordship, dated the 18th of July, calling his attention to the fact that the declaration of Paris contemplated a concurrence of various powers, and not an insulated engagement of two powers only, and requiring an assurance that the United States were ready to enter into a similar engagement with France and with other maritime powers, parties to the declaration, and not with Great Britain alone. But, inasmuch as this process itself might involve the loss of much time, that her Majesty's government would deem themselves authorized to advise the Queen to conclude a convention with the President of the United States so soon as they should have been informed that a similar convention has been agreed upon between the President and the Emperor of the French.

Upon receiving this reply the undersigned, not unwilling to do everything within his power to forward an object considered by him of the greatest value, immediately opened a correspondence with Mr. Dayton, the representative of the United States at Paris, to learn from him whether such an arrangement as that contemplated in his lordship's note could not be at once carried out by him. With some reluctance Mr. Dayton consented to promote it, but only upon the production of evidence satisfactory to his own mind

that the amendment originally proposed by Mr. Marcy was not attainable. The undersigned then addressed himself to his lordship, and with entire success. The evidence was obtained, Mr. Dayton acted with success, and no further difficulties then seemed to be in the way of a speedy and simultaneous affirmation of concurrence in the principles of the declaration of Paris by the United States, in conjunction with the other powers.

The public law thus declared to be established, embraced four general propositions, to wit:

1. Privateering is abolished.
2. The neutral flag covers enemy's goods, except contraband of war.
3. Neutral goods safe under an enemy's flag, with the same exception.
4. Blockades, to be binding, must be effective.

The government of the United States, in proposing to join in the establishment of these principles, are believed by the undersigned to be acting with the single purpose of aiding to establish a permanent doctrine for all time. Convinced of the value of it in ameliorating the horrors of warfare all over the globe, they have, perhaps against their notions of their immediate interest, consented to waive temporary considerations of expediency for the attainment of a great ultimate good. They are at last prepared to sign and seal an engagement pure and simple, and by so doing to sacrifice the hope of attaining, at least for the present, an improvement of it to which they have always attached great value. But just at the moment when their concurrence with the views of the other maritime powers of the world would seem to be certain, they are met with a proposition from one, if not more, of the parties, to accompany the act with a proceeding somewhat novel and anomalous in this case, being the presentation of a written declaration, not making a part of the convention itself, but intended to follow the signature, to the effect that "her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States."

Obviously a consent to accept a particular exception, susceptible of so wide a construction of a joint instrument, made by one of the parties to it in its own favor at the time of signing, would justify the idea that some advantage is, or may be suspected to be, intended to be taken by the other. The natural effect of such an accompaniment would seem to be to imply that the government of the United States might be desirous, at this time, to take a part in the declaration, not from any high purpose or durable policy, but with the view of securing some small temporary object in the unhappy struggle which is going on at home. Such an inference would spoil all the value that might be attached to the act itself. The mere toleration of it would seem to be equivalent to a confession of their own weakness. Rather than that such a record should be made, it were a thousand times better that the declaration remain unsigned forever. If the parties to the instrument are not to sign it upon terms of perfect reciprocity, with all their duties and obligations under it perfectly equal, and without equivocation or reservation of any kind, on any side, then is it plain that the proper season for such an engagement has not yet arrived. It were much wiser to put it off until nations can understand each other better.

There is another reason why the undersigned cannot at this moment consent to proceed under the powers conferred on him to complete this negotiation when clogged with such a declaration, which is drawn from the peculiar construction of the government of his own country. By the terms of the Constitution, every treaty negotiated by the President of the United States must, before it is ratified, be submitted to the consideration of the Senate of the United States. The question immediately arises in this case, what is to be done with a declaration like that which his lordship proposes to make.

Is it a part of the treaty, or is it not? If it be, then is the undersigned exceeding his instructions in signing it, for the paper made no part of the project which he was directed to propose; and in case he should sign, the addition must be submitted to the Senate for its advice and consent, together with the paper itself. If it be not, what advantage can the party making the declaration expect from it in modifying the construction of the project, when the Senate have never had it before them for their approval? It either changes the treaty or it does not. If it does, then the question arises, why did not the undersigned procure it to be incorporated into it? On the other hand, if it do not, why did he connive at the appearance of a desire to do it without effecting the object?

The undersigned has ever been desirous of maintaining and perpetuating the most friendly relations between her Majesty's kingdom and the United States, and he continues to act in the same spirit when he deprecates the submission of any project clogged with a similar exception to the consideration of the Senate of the United States. He has reason to believe that already a strong disinclination exists in that body to the acceptance of the first of the four propositions embraced in the declaration itself, and that mainly because it is esteemed to be too much of a concession to the great maritime powers. Were he now to consent, without further instructions, to accept a qualification which would scarcely fail to be regarded by many unfavorably disposed persons as more or less directly an insult to the nation in its present distress, he should deem himself as incurring the hazard of bringing on difficulties which he professes an earnest wish to avoid.

For the reasons thus given the undersigned has reluctantly come to the conclusion to decline to fix a day for proceeding in the negotiation under its present aspect, at least until he shall have been able to submit the whole question once more to the judgment of the authorities under which he has the honor to act.

A copy of this letter will also be forwarded to Mr. Dayton for his information.

The undersigned prays Lord Russell to receive the assurances of the most distinguished consideration with which he is his obedient servant.

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, &c., &c., &c.

Lord Russell to Mr. Edwards.

FOREIGN OFFICE, May 14, 1861.

It is for the Spanish government to weigh in the balance of their judgment the advantages and inconveniences which may arise from the annexation of the territory of the Dominican state to the dominions of Spain; and any opinion which her Majesty's government may form on the subject can be founded on no other consideration than a regard for what they may look upon as the real and permanent interests of Spain.

Her Majesty's government would, no doubt, have felt a strong and decided dissatisfaction at the proposed annexation if it had been likely to lead to the introduction of slavery into a community which is free from the taint of that pernicious institution; but the formal and repeated declarations of Marshal O'Donnell, that under no circumstances will slavery be introduced into the Dominican territory, have removed the main cause which would have led her

Majesty's government to view the proposed annexation with dislike and repugnance.

Her Majesty's government certainly apprehended, when first this projected annexation was talked of, that it might, if carried into execution, involve Spain in unfriendly discussions, if not in conflict, either with France or with the United States, or with both. With regard to France, her Majesty's government have not learned that the French government has expressed any positive objection to the proposed arrangement, although she may not think it advantageous to Spain. It appears, also, from what has been stated to you, that there is no probability at present of any positive resistance to the measure, either by the northern or the southern confederation of North America. But the Spanish government should not too confidently rely on the permanent continuance of this indifference or acquiescence on the part of the North Americans; and it is not impossible that when the civil war which is now breaking out shall have been brought to an end, an event which may happen sooner than at present appears likely, both the north and the south might combine to make the occupation of the Dominican territory by Spain the cause of serious difference between the North American governments and that of Spain.

Her Majesty's government do not deny that Great Britain, as a power naturally inclined to peace, and systematically addicted to commerce, must always view a war between any two powers as an event not only at variance with her principles, but to a certain degree injurious to her interests. But with respect to Spain, the motives of the British government spring from far higher sources. Great Britain and Spain have for long periods of time, and in circumstances of high moment to each, been faithful and active allies; their alliance has been greatly useful and eminently honorable to both. It is a fundamental maxim of British policy to wish well to Spain, and earnestly to desire her welfare and prosperity; and therefore any combination of events which might at any time involve the possibility of Spain being engaged in a conflict which, from local circumstances and disadvantages, might be in the end seriously injurious to her rule over her ancient possessions, would be viewed by her Majesty's government with lively apprehension and sincere regret.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 78.]

DEPARTMENT OF STATE,
Washington, September 2, 1861.

SIR: Your despatch of the 16th of August, number 29, has been received.

* * * * *

Steadily for the period of four months our forces have been coming into the field at the rate of two thousand a day, and the same augmentation will go on nearly at the same rate until 500,000 men will be found in the service. Our supplies of arms are running low.

My despatch, No. 42, acknowledged by you in the paper before me, was written, as you will see by its date, July 21, during the progress of the battle at Bull Run, though sent a few days afterwards. From this fact you will see that our policy and our claims upon the government of Great Britain are not affected by the caprices of military fortune.

We have now reached a new and important stage in the war. The enemy

is directly before us, invigorated and inspirited by a victory, which it is not the part of wisdom for us to undervalue. But that victory has brought with it the necessity for renewed and decisive action with proportionate results. The demoralization of our forces has passed away. I have already stated that they are increasing in numbers. You will learn through other channels that they are equally perfecting themselves in discipline. Commander Stringham and General Butler's success at Hatteras was not merely a brilliant affair. It brings nearly the whole coast of North Carolina under the surveillance of our blockade. * * * * *

I shall be entirely satisfied with the exercise of your own discretion as to the time and form you may choose for making the explanations to the British government on those subjects with which you are charged, and I regard the condition of things in that respect, as you have reported it to me, as, under the circumstances, quite satisfactory. No change of policy in regard to the blockade has been adopted since my former despatches.

I can well enough imagine that your position has been made a trying one by the exultations of enemies of our country and its institutions over the disaster of the 21st of July. But you will be able to comprehend what they cannot, that faction ripens fast, whence its necessities impel to action which exhausts its energies. Loyalty in any free country organizes less rapidly and gains strength from time and even from reverses. The previous success of this government is a sufficient guaranty of the safety of our cause, and is a fact too important to be misunderstood in the political circle in which you are moving.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 83.]

DEPARTMENT OF STATE,
Washington, September 7, 1861.

SIR: I have received your despatch of August 23, number 32. It is accompanied by a note which was addressed to you by Lord Russell on the 19th of the same month, and a paper containing the form of an official declaration which he proposes to make on the part of her Majesty on the occasion of affixing his signature to the projected convention between the United States and Great Britain for the accession of the former power to the articles of the declaration of the congress of Paris for the melioration of the rigor of international law in regard to neutrals in maritime war. The instrument thus submitted to us by Lord Russell is in the following words: "Draft of declaration.—In affixing his signature to the convention of this day, between her Majesty the Queen of Great Britain and Ireland and the United States of America, the Earl Russell declares, by order of her Majesty, that her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States."

Lord Russell, in his note to you, explains the object of the instrument by saying that it is intended to prevent any misconception as to the nature of the engagement to be taken by her Majesty.

You have judged very rightly in considering this proceeding, on the part of the British government, as one so grave and so novel in its character as to render further action on your part in regard to the projected convention inadmissible until you shall have special instructions from this department.

Long before the present communication can reach you, my instructions of August 17, No. 61, will have come to your hands. That paper directed you to ask Lord Russell to explain a passage in a note written to you, and then lying before me, in which he said: "I need scarcely add that on the part of Great Britain the engagement (to be contained in the projected convention) will be prospective, and will not invalidate anything already done;" which explanation I stated would be expected as a preliminary before you could proceed further in the transaction.

You have thus been already prepared for the information that your resolution to await special instructions in the present emergency is approved.

I feel myself at liberty, perhaps bound, to assume that Lord Russell's proposed declaration, which I have herein recited, will have been already regarded, as well by him as by yourself, as sufficiently answering the request for preliminary explanations which you were instructed to make.

I may, therefore, assume that the case is fully before me, and that the question whether this government will consent to enter into the projected treaty with Great Britain, subject to the condition of admitting the simultaneous declaration on her Majesty's part, proposed by Lord Russell, is ready to be decided.

I am instructed by the President to say that the proposed declaration is inadmissible.

It would be virtually a new and distinct article incorporated into the projected convention. To admit such a new article would, for the first time in the history of the United States, be to permit a foreign power to take cognizance of and adjust its relations upon assumed internal and purely domestic differences existing within our own country.

This broad consideration supersedes any necessity for considering in what manner or in what degree the projected convention, if completed either subject to the explanation proposed or not, would bear directly or indirectly on the internal differences which the British government assume to be prevailing in the United States.

I do not enlarge upon this branch of the subject. It is enough to say that the view thus adopted by the President seems to be in harmony equally with a prudent regard to the safety of the republic and a just sense of its honor and dignity.

The proposed declaration is inadmissible, among other reasons, because it is not mutual. It proposes a special rule by which her Majesty's obligations shall be meliorated in their bearing upon internal difficulties now prevailing in the United States, while the obligations to be assumed by the United States shall not be similarly meliorated or at all affected in their bearing on internal differences that may now be prevailing, or may hereafter arise and prevail, in Great Britain.

It is inadmissible, because it would be a substantial and even a radical departure from the declaration of the congress at Paris. That declaration makes no exception in favor of any of the parties to it in regard to the bearing of their obligations upon internal differences which may prevail in the territories or dominions of other parties.

The declaration of the congress of Paris is the joint act of forty-six great and enlightened powers, designing to alleviate the evils of maritime war, and promote the first interest of humanity, which is peace. The government of Great Britain will not, I am sure, expect us to accede to this noble act otherwise than upon the same equal footing upon which all the other parties to it are standing. We could not consent to accede to the declaration with a modification of its terms unless all the present parties to it should stipulate that the modification should be adopted as one of universal application. The British government cannot but know that there would be little pros-

pect of an entire reformation of the declaration of Paris at the present time, and it has not even told us that it would accept the modification as a general one if it were proposed.

It results that the United States must accede to the declaration of the congress of Paris on the same terms with all the other parties to it, or that they do not accede to it at all.

You will present these considerations to Lord Russell, not as arguments why the British government ought to recede from the position it has assumed, but as the grounds upon which the United States decline to enter into the projected convention recognizing that exceptional position of her Majesty.

If, therefore, her Britannic Majesty's government shall adhere to the proposition thus disallowed, you will inform Lord Russell that the negotiation must for the present be suspended.

I forbear purposely from a review of the past correspondence, to ascertain the relative responsibilities of the parties for this failure of negotiations, from which I had hoped results would flow beneficial, not only to the two nations, but to the whole world—beneficial, not in the present age only, but in future ages.

It is my desire that we may withdraw from the subject carrying away no feelings of passion, prejudice, or jealousy, so that in some happier time it may be resumed, and the important objects of the proposed convention may be fully secured. I believe that that propitious time is even now not distant; and I will hope that when it comes Great Britain will not only willingly and unconditionally accept the adhesion of the United States to all the benignant articles of the declaration of the congress of Paris, but will even go further, and, relinquishing her present objections, consent, as the United States have so constantly invited, that the private property, not contraband, of citizens and subjects of nations in collision shall be exempted from confiscation equally in warfare waged on the land and in warfare waged upon the seas, which are the common highways of all nations.

Regarding this negotiation as at an end, the question arises, what, then, are to be the views and policy of the United States in regard to the rights of neutrals in maritime war in the present case. My previous despatches have no uncertainty upon this point. We regard Great Britain as a friend. Her Majesty's flag, according to our traditional principles, covers enemy's goods not contraband of war. Goods of her Majesty's subjects, not contraband of war, are exempt from confiscation though found under a neutral or disloyal flag. No depredations shall be committed by our naval forces or by those of any of our citizens, so far as we can prevent it, upon the vessels or property of British subjects. Our blockade, being effective, must be respected.

The unfortunate failure of our negotiations to amend the law of nations in regard to maritime war does not make us enemies, although, if they had been successful, we should have perhaps been more assured friends.

Civil war is a calamity from which certainly no people or nation that has ever existed has been always exempt. It is one which probably no nation ever will escape. Perhaps its most injurious trait is its tendency to subvert the good understanding and break up the relations existing between the distracted state and friendly nations, and to involve them, sooner or later, in war. It is the desire of the United States that the internal differences existing in this country may be confined within our own borders. I do not suffer myself for a moment to doubt that Great Britain has a desire that we may be successful in attaining that object, and that she looks with dread upon the possibility of being herself drawn into this unhappy internal controversy of our own. I do not think it can be regarded as disrespectful if you should remind Lord Russell that when, in 1838, a civil war broke out in

Canada, a part of the British dominions adjacent to the United States, the Congress of the United States passed and the President executed a law which effectually prevented any intervention against the government of Great Britain in those internal differences by American citizens, whatever might be their motives, real or pretended, whether of interest or sympathy. I send you a copy of that enactment. The British government will judge for itself whether it is suggestive of any measures on the part of Great Britain that might tend to preserve the peace of the two countries, and, through that way, the peace of all nations.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 39.]

LEGATION OF THE UNITED STATES,

London, September 7, 1861.

SIR: I have the honor to acknowledge the reception of despatches from the department, numbered from 61 to 67, both inclusive.

Since the date of your No. 61, of the 17th of August, you will have learned ere this that the enigmatical extract from Lord Russell's note to me, of which you instructed me to ask an explanation, has taken a very distinct and unequivocal shape, superseding all necessity for further inquiry. I may take occasion to remark upon the similarity of some of the reasoning in your despatch with that which you will find already made use of in my letter to his lordship, of the 23d August, declining to conclude the negotiation. On the whole, it seems to me that it is perhaps as well to let it stay for the present in the situation in which her Majesty's ministers have placed it. But in this I remain to be directed at the pleasure of the President.

In this connexion I have the honor to transmit a copy of Lord Russell's note of the 28th of August, in reply to mine of the 23d of that month to him, already referred to in the preceding paragraph. I likewise send a copy of his instructions to Lord Lyons, which he seems to have furnished to me as an evidence of his good faith in the representation he made of them to me at the conference.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

FOREIGN OFFICE, *August 28, 1861.*

The undersigned, her Majesty's principal secretary of state for foreign affairs, has had the honor to receive the note, of the 23d instant, of Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States.

Mr. Adams has accounted satisfactorily for the delay in answering the note of the undersigned of the 19th instant. Her Majesty's government in all these transactions has acted in concert with the government of the

Emperor of the French, and the undersigned cannot be surprised that Mr. Adams should wish to communicate with Mr. Dayton, at Paris, before replying to his note.

The undersigned is quite prepared, following Mr. Adams, to recapitulate the particulars of this negotiation, and he is happy to think that in matters of fact there is no ground for any controversy between them. He need only supply omissions.

Mr. Adams, at his first interview with the undersigned, on the 18th of May last, mentioned the subject of the declaration of Paris as one on which he had power to negotiate, and the undersigned then told him that the matter had been already committed to the care of Lord Lyons, at Washington, with authority to agree with the government of the United States on the basis of the adoption of three of the articles and the omission of the first, being that relating to privateering. So far, the statement of Mr. Adams agrees substantially with that which is here made. But the representation of the undersigned was strictly accurate, and in faith of it he subjoins the despatch by which Lord Lyons was authorized to negotiate on the basis of the three latter articles of the declaration of Paris. Lord Lyons, however, was not empowered to sign a convention, because that form had not been adopted by the powers who originally signed the declaration, nor by any of the numerous states which afterwards gave their adherence to its articles.

At a later period, when Mr. Adams brought a copy of his full powers to the foreign office, the undersigned asked why the adherence of the United States should not be given in the same form as that of other powers, and he was told, in reply, that as the Constitution of the United States required the consent of the Senate to any agreement with foreign powers, that agreement must necessarily, or at least would most conveniently, be made in the shape of a convention.

The undersigned yielded to this argument, and proposed to the government of the Emperor of the French, with which her Majesty's government have been acting throughout in complete agreement, to concur likewise in this departure from the form in which the declaration of Paris had been adopted by the maritime powers of Europe.

But the British government could not sign the convention proposed by the United States as an act of Great Britain singly and alone, and they found to their surprise that in case of France and of some of the other European powers the addition of Mr. Marcy relating to private property at sea had been proposed by the ministers of the United States at the courts of those powers.

The undersigned concurs in the statement made by Mr. Adams respecting the transactions which followed. Her Majesty's government, like Mr. Adams, wished to establish a doctrine for all time, with a view to lessen the horrors of war all over the globe. The instructions sent to Lord Lyons prove the sincerity of their wish to give permanence and fixity of principles to this part of the law of nations.

The undersigned has now arrived at that part of the subject upon which the negotiation is interrupted.

The undersigned has notified Mr. Adams his intention to accompany his signature of the proposed convention with a declaration to the effect that her Majesty "does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States."

The reasons for this course can be easily explained. On some recent occasions, as on the fulfilment of the treaty of 1846, respecting the boundary, and with respect to the treaty called by the name of the "Clayton-Bulwer

treaty," serious differences have arisen with regard to the precise meaning of words, and the intention of those who framed them.

It was most desirable in framing a new agreement not to give rise to a fresh dispute.

But the different attitude of Great Britain and of the United States in regard to the internal dissensions now unhappily prevailing in the United States gave warning that such a dispute might arise out of the proposed convention.

Her Majesty's government, upon receiving intelligence that the President had declared by proclamation his intention to blockade the ports of nine of the States of the Union, and that Mr. Davis, speaking in the name of those nine States, had declared his intention to issue letters of marque and reprisals; and having also received certain information of the design of both sides to arm, had come to the conclusion that civil war existed in America, and her Majesty had thereupon proclaimed her neutrality in the approaching contest.

The government of the United States, on the other hand, spoke only of unlawful combinations, and designated those concerned in them as rebels and pirates. It would follow logically and consistently, from the attitude taken by her Majesty's government, that the so-called Confederate States, being acknowledged as a belligerent, might, by the law of nations, arm privateers, and that their privateers must be regarded as the armed vessels of a belligerent.

With equal logic and consistency it would follow, from the position taken by the United States, that the privateers of the southern States might be decreed to be pirates, and it might be further argued by the government of the United States that a European power signing a convention with the United States, declaring that privateering was and remains abolished, would be bound to treat the privateers of the so-called Confederate States as pirates.

Hence, instead of an agreement, charges of bad faith and violation of a convention might be brought in the United States against the power signing such a convention, and treating the privateers of the so-called Confederate States as those of a belligerent power.

The undersigned had at first intended to make verbally the declaration proposed. But he considered it would be more clear, more open, more fair to Mr. Adams to put the declaration in writing, and give notice of it to Mr. Adams before signing the convention.

The undersigned will not now reply to the reasons given by Mr. Adams for not signing the convention if accompanied by the proposed declaration. Her Majesty's government wish the question to be fairly weighed by the United States government. The undersigned, like Mr. Adams, wishes to maintain and perpetuate the most friendly relations between her Majesty's kingdom and the United States. It is in this spirit that her Majesty's government decline to bind themselves without a clear explanation on their part to a convention which, seemingly confined to an adoption of the declaration of Paris of 1856, might be construed as an engagement to interfere in the unhappy dissensions now prevailing in the United States—an interference which would be contrary to her Majesty's public declarations, and would be a reversal of the policy which her Majesty has deliberately sanctioned.

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

C. F. ADAMS, Esq., &c., &c., &c.

No. 136.]

FOREIGN OFFICE, *May 18, 1861.*

My Lord: Her Majesty's government deeply lament the outbreak of hostilities in North America, and they would gladly lend their aid to the restoration of peace.

You are instructed, therefore, in case you should be asked to employ your good offices either singly or in conjunction with the representatives of other powers, to give your assistance in promoting the work of reconciliation. But as it is most probable, especially after a recent letter of Mr. Seward, that foreign advice is not likely to be accepted, you will refrain from offering it unasked. Such being the case, and supposing the contest not to be at once ended by signal success on one side or by the return of friendly feeling between the two contending parties, her Majesty's government have to consider what will be the position of Great Britain as a neutral between the two belligerents.

So far as the position of Great Britain in this respect toward the European powers is concerned, that position has been greatly modified by the declaration of Paris of April 16, 1856. That declaration was signed by the ministers of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey.

The motives for making that declaration, and for agreeing to the articles of maritime law which it proposes to introduce with a view to the establishment of a "uniform doctrine" and "fixed principles," are thus shortly enumerated in the declaration:

"Considering that maritime law in time of war has long been the subject of deplorable disputes;

"That the uncertainty of the law and of the duties in such a matter gives rise to differences of opinion between neutrals and belligerents which may occasion serious difficulties and even conflicts;

"That it is consequently advantageous to establish a uniform doctrine on so important a point;

"That the plenipotentiaries assembled in congress at Paris cannot better respond to the intentions by which their governments are animated than by seeking to introduce into international relations fixed principles in this respect—

"The above-mentioned plenipotentiaries, being duly authorized, resolved to concert among themselves as to the means of attaining this object, and having come to an agreement have adopted the following solemn declaration:"

1st. Privateering is and remains abolished.

2d. The neutral flag covers enemy's goods, with the exception of contraband of war.

3d. Neutral's goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4th. Blockades, in order to be binding, must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The powers signing the declaration engaged to bring it to the knowledge of the states which had not taken part in the congress of Paris, and to invite those states to accede to it. They finally agreed that "the present declaration is not and shall not be binding, except between those powers who have acceded or shall accede to it."

The powers which acceded to the declaration are Baden, Bavaria, Belgium, Bremen, Brazil, Duchy of Brunswick, Chili, the Argentine Confederation, the Germanic Confederation, Denmark, the Two Sicilies, the Republic of the Equator, the Roman States, Greece, Guatemala, Hayti, Hamburg, Hanover, the Two Hesses, Lubeck, Mecklenburg Strelitz, Mecklenburg Schwerin, Nas-

sau, Oldenburg, Parma, Holland, Peru, Portugal, Saxony, Saxe Attenburg, Saxe Coburg Gotha, Saxe Meiningen, Saxe Weimer, Sweden, Switzerland, Tuscany, Wurtemberg, Anhalt Dessau, Modena, New Grenada, and Maguay.

Mr. Secretary Marcy, in acknowledging, on the 28th of July, 1856, the communication of the declaration of Paris made to the government of the United States by the Count de Sartiges, proposed to add to the first article thereof the following words : "and that the private property of the subjects or citizens of a belligerent on the high seas shall be exempted from seizure by public armed vessels of the other belligerents, except it be contraband ;" and Mr. Marcy expressed the willingness of the government of the United States to adopt the clause so amended, together with the other three principles contained in the declaration.

Mr. Marcy also stated that he was directed to communicate the approval of the President of the second, third, and fourth propositions, independently of the first, should the proposed amendment of the first article be unacceptable.

The United States minister in London, on the 24th of February, 1857, renewed the proposal in regard to the first article, and submitted a draft of convention, in which the article so amended would be embodied with the other three articles. But, before any decision was taken on this proposal, a change took place in the American government by the election of a new President of the United States, and Mr. Dallas announced, on the 25th of April, 1857, that he was directed to suspend negotiations on the subject ; up to the present time those negotiations have not been renewed.

The consequence is, that the United States remaining outside the provisions of the declaration of Paris, the uncertainty of the law and of international duties with regard to such matters may give rise to differences of opinion between neutrals and belligerents which may occasion serious difficulties and even conflicts.

It is with a view to remove beforehand such "difficulties," and to prevent such "conflicts," that I now address you.

For this purpose I proceed to remark on the four articles, beginning, not with the first, but with the last.

In a letter to the Earl of Clarendon of the 24th of February, 1857, Mr. Dallas, the minister of the United States, while submitting the draft of a new convention, explains the views of the government of the United States on the four articles.

In reference to the last article, he says: "The fourth of those principles, respecting blockades, had, it is believed, long since become a fixed rule of the law of war."

There can be no difference of opinion, therefore, with regard to the fourth article.

With respect to the third article, the principle laid down in it has long been recognized as law, both in Great Britain and in the United States. Indeed this part of the law is stated by Chancellor Kent to be uniform in the two countries.

With respect to the second article, Mr. Dallas says, in the letter before quoted: "About two years prior to the meeting of congress at Paris, negotiations had been originated and were in train with the maritime nations for the adoption of the second and third propositions substantially as enumerated in the declaration."

The United States have therefore no objection in principle to the second proposition.

Indeed her Majesty's government have to remark that this principle is adopted in the treaties between the United States and Russia of the 22d of July, 1854, and was sanctioned by the United States in the earliest period

of the history of their independence by their accession to the armed neutrality.

With Great Britain the case has been different. She formerly contended for the opposite principles as the established rule of the law of nations.

But having, in 1856, upon full consideration, determined to depart from that rule, she means to adhere to the principle she then adopted. The United States, who have always desired this change, can, it may be presumed, have no difficulty in assenting to the principle set forth in the second article of the declaration of Paris.

There remains only to be considered the first article, namely, that relating to privateering, from which the government of the United States withhold their assent. Under these circumstances it is expedient to consider what is required on this subject by the general law of nations. Now, it must be borne in mind that privateers bearing the flag of one or other of the belligerents may be manned by lawless and abandoned men, who may commit, for the sake of plunder, the most destructive and sanguinary outrages.

There can be no question but that the commander and crew of the ship bearing a letter of marque must, by law of nations, carry on their hostilities according to the established laws of war. Her Majesty's government must, therefore, hold any government issuing such letters of marque responsible for, and liable to make good, any losses sustained by her Majesty's subjects in consequence of wrongful proceeding of vessels sailing under such letters of marque.

In this way the object of the declaration of Paris may, to a certain extent, be attained without the adoption of any new principle.

You will urge these views upon Mr. Seward.

The proposals of her Majesty's government are made with a view to limit and restrain that destruction of property and that interruption of trade which must, in a greater or less degree, be the inevitable consequence of the present hostilities. Her Majesty's government expect that these proposals will be received by the United States government in a friendly spirit. If such shall be the case, you will endeavor (in concert with M. Mercier) to come to an agreement on the subject binding France, Great Britain, and the United States.

If these proposals should, however, be rejected, her Majesty's government will consider what other steps should be taken with a view to protect from wrong and injury the trade and the property and persons of British subjects.

I am, &c., &c., &c.,

J. RUSSELL.

The Lord Lyons.

Mr. Adams to Mr. Seward.

No. 41.]

LEGATION OF THE UNITED STATES,
London, September 9, 1861.

SIR: I have the honor to acknowledge the reception at the hands of your messenger, Captain Schultz, of a bag purporting to contain public despatches from Mr. Robert Bunch, the consul at Charleston, to Lord Russell, the head of the foreign office in London. In conformity with the instructions contained in your No. 63, dated the 17th of August, I immediately addressed a note to Lord Russell, explanatory of the reasons why such a bag was received through this channel, a copy of which is herewith transmitted. In it you will perceive that I have endeavored to adhere as closely as possible to

the language of your communication to me. At the same time, in obedience to the directions contained in your No. 64, dated the 17th of August, I addressed another note to his lordship stating the grounds of dissatisfaction felt by the President with the conduct of Mr. Bunch, and requesting his removal. A copy of this note is likewise appended to the present despatch. These two notes, together with the bag in exactly the same condition in which I received it from Captain Schultz, I directed my assistant secretary, Mr. Benjamin Moran, to take with him to the foreign office, and there to deliver into the hands of his lordship if present, or, if absent from town, into those of one of her Majesty's under secretaries of state for foreign affairs. Accordingly, on the afternoon of Tuesday, the 4th instant, at about quarter past three o'clock, as Mr. Moran reports to me, he went to the foreign office, and finding Lord Russell to be absent from town, he delivered the bag and the notes into the hands of Mr. Layard, one of the under secretaries. Since that time I have had no reply from his lordship, although I received on Saturday last two notes from him on matters of minor consequence. I had hoped to send something by Captain Schultz, who returns in the Great Eastern, and I shall yet do so if it should come before the bag closes. I have consented to the departure of Captain Schultz, mainly because Mr. Dayton has expressed a great desire that he should take charge of his despatches as soon as possible.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

P. S.—I have just learned from Mr. Davy that the Bermuda put into Falmouth for coals. Her cargo in arms, ammunition, and clothing, is valued at £80,000 sterling. The importance of intercepting her cannot be over-estimated.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,

London, September 3, 1861.

MY LORD: I have the honor to inform your lordship that I have received by the hands of a special messenger of the government just arrived in the steamer Europa from the United States a sealed bag marked Foreign Office, 3, with two labels, as follows:

"On her Britannic Majesty's service. The right honorable the Lord John Russell, M. P., &c., &c., &c. Despatches in charge of Robert Mure, esq.

"ROBERT BUNCH."

"On her Britannic Majesty's service. The right honorable the Lord John Russell, M. P., her Britannic Majesty's principal secretary of state for foreign affairs, foreign office, London.

"R. BUNCH."

Agreeably to instructions communicated by my government to me, to see that this bag is delivered accordingly to its address in exactly the condition in which I received it, I have the honor to transmit the same by the hands of my assistant secretary, Mr. Benjamin Moran, who is directed to deliver it into your own hands, if present, or, if absent, into those of one of the under secretaries of state for foreign affairs.

It now becomes my duty to explain the circumstances under which this bag has found its way from the possession of the person to whom it was originally intrusted into that of the authorities of the United States.

It appears that the Secretary of State of the United States, on the 15th of August last, received information deemed worthy of confidence that Mr. Robert Mure, the bearer of this bag, was at the same time acting as a bearer of despatches from the insurrectionary authorities of Richmond to your lordship. Other information came that he was a bearer of despatches from the same authorities to their agents in London. And still other information from various sources agreed in affirming that he was travelling under a passport issued by her Majesty's consul at Charleston. Upon this information, instructions were sent forthwith to the police of New York to detain Mr. Mure, and any papers which might be found in his possession. He was accordingly detained, and is now in custody at Fort Lafayette, awaiting full disclosures. A large number of papers were found upon him, an examination of which was found fully to sustain some portions of the information which had been furnished, and to prove that Mr. Mure was acting as the bearer of a treasonable correspondence between persons acting in open arms against the government of the United States and their friends and emissaries in Great Britain. He had also with him several copies of a printed pamphlet purporting to be a narrative of the events of the 21st of July at Manassas Junction, addressed to persons in England, and evidently intended to further the purposes of the conspirators in South Carolina.

Robert Mure, the bearer of these papers, is represented to be a naturalized citizen of the United States, where he has resided for thirty years, and as actually holding a commission of colonel in the insurgent forces of South Carolina.

It turned out to be true that in the hands of this gentleman were found in an open envelope a paper purporting to be a passport, a copy of which I have the honor to append to this note as paper marked A; and a letter of instructions, signed by Robert Bunch, her Majesty's consul for the United States, residing at Charleston, a copy of which is likewise appended, as paper marked B.

In the absence of all other evidence against Mr. Bunch to prove his departure from the line of his legitimate duty, it is quite enough to call the attention of your lordship to the fact that in issuing such a paper as this passport he has acted in direct contravention of a regulation issued by the proper department of the United States of which he had received notice, which forbids all recognition of any diplomatic or consular passport so far as to permit the bearer to pass through the lines of the national forces or out of the country unless it should be countersigned by the Secretary of State and the commanding general of the army of the United States. Mr. Mure attempted to do both with a paper bearing no such signatures.

There is, however, other and still more serious cause of complaint against Mr. Bunch, as disclosed by the papers of Mr. Mure, the exposition of which I am compelled to reserve for a separate communication. The present purpose is confined to an explanation of the reasons which have actuated the government of the United States in taking the extraordinary step which has had for one of its consequences the effect of diverting, be it but for a moment, a part of the official correspondence of her Majesty's government from the channel in which it was originally placed. I am directed to express the regret the government feels that such a measure had become imperative, and to assure your lordship of its earnest desire to make any suitable amends which may justly be required. If in the process there may have happened a slight interruption of the correspondence of the British consul,

it is their desire that the pressing nature of the emergency may induce your lordship to excuse it.

It is needless to say that the bag passes into the hands of your lordship in precisely the same condition it came from those of Mr. Mure. Comity towards the government of a friendly nation, together with a full confidence in its justice and honor, to say nothing of a sense of propriety, would deter the government which I have the honor to represent from entertaining the idea of breaking the seals which protect it even were there ten times more reason than there is to presume an intention under so sacred a sanction to perpetrate a wrong certainly on one and perhaps on both governments. Still less is it the intention of the American government to intimate the smallest suspicion of any privity whatever on the part of the authorities in Great Britain in aiding, assisting, or countenancing a supposed design injurious to the United States and subversive of their sovereignty. Much ground as there is for presuming that it never was the intention of those who prepared the package to forward it to its nominal address, but that it was rather the design, after bringing bad matter under this sacred sanction safely through the dangers of hostile scrutiny, to open the bag themselves and to disseminate the contents far and wide among the evil-disposed emissaries to be found scattered all over Europe; this consideration has never weighed a single moment to change their views of this trust when put in the balance with the strong reliance placed upon the good faith of her Majesty's constitutional advisers. Least of all has it been in the thought of any one that your lordship would consent in any way to receive the papers, if they are really illegal in their character or dangerous or injurious to the United States.

Should it, however, prove on inspection that any abuse has been attempted in America of the confidence to which her Majesty's government is in every way entitled, I am directed to express to your lordship the hope that any papers of a treasonable character against the United States may be delivered up to me for the use of my government, and that her Majesty's consul at Charleston, if shown to be privy to the transmission of them under such a form, may be made promptly to feel the severe displeasure of the government whose good faith he has sought to dishonor. For there can be no difference of opinion as to the nature of an offence which involves the perversion by the agent of one government of the hospitality afforded to him by another to conspire against its safety, dignity, and honor.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Honorable EARL RUSSELL, &c., &c., &c.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,

London, September 3, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, deeply regrets the painful necessity that compels him to make a representation to the right honorable Lord Russell, her Majesty's principal secretary of state for foreign affairs, touching the conduct of Mr. Robert Bunch, her Majesty's consul for the port of Charleston, in the United States. It appears from the contents of one of the many letters found in the possession of Mr. Robert Mure, bearer of despatches from Mr. Bunch to the

government of Great Britain, but detained as an agent of the enemies of the United States, that the following statement is made of the action of Mr. Bunch in Charleston.

"Mr. B., on oath of secrecy, communicated to me also that the *first step* to recognition was taken. He and Mr. Belligny together sent Mr. Trescot to Richmond yesterday to ask Jeff. Davis, President to ——— the treaty of ——— to ——— the neutral flag covering neutral goods to be respected. This is the first step of direct treating with our government. So prepare for active business by 1st January."

The undersigned is instructed to submit this information to her Majesty's government with a request that, if it be found to be correct, Mr. Bunch may be at once removed from his office. The undersigned is further instructed to add that the President will cheerfully accord an exequatur to any person who may be appointed to succeed him, who will faithfully perform his functions without injury to the rights and the interests of the United States.

The undersigned avails himself of this occasion to renew to Lord Russell the assurances of his highest consideration.

CHARLES FRANCIS ADAMS.

The Right Honorable EARL RUSSELL, *etc.*, *etc.*, *etc.*

Mr. Seward to Mr. Adams.

No. 84.]

DEPARTMENT OF STATE,
Washington, September 10, 1861.

SIR: I send you an extract of a letter just received from Mr. Francis Bernard, in the island of Trinidad. It shows a clear case of connivance by the authorities of that island with the insurgents of the United States, in violation of the rights and dignity of this government, if the facts are truly presented. You will bring the subject to the notice of Lord Russell, and will, if the case shall not be satisfactorily explained, ask for such proceedings in the premises as shall make the authorities of the island sensible of the displeasure of the imperial government, and prevent such occurrences in the future.

For your satisfaction, I state that a new consul has been appointed at Trinidad, and that he is now on his way to that island.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *etc.*, *etc.*, *etc.*

Mr. Bernard to Mr. Seward.

[Extract.]

TRINIDAD, August 7, 1861.

SIR: I beg to inform you that on the 30th ultimo a steam sloop-of-war (*Semmes* commander) carrying a secession flag, five guns, some of a large calibre, and a crew of from 120 to 150 men, sailed boldly in our harbor and reported herself to the authorities of this island as being on a cruise. She was last from Puerto Cabello; and since she succeeded in getting out of the Mississippi river she has already captured no less than eleven American vessels. I have ascertained the names of some of them, viz: the Joseph Maxwell, Abe Bradford, Minnie Miller, West Wind, of Westerly, with a

cargo of sugar from Havana, and Golden Rocket, which was burnt by her off the coast of Cuba.

The Sumter landed eight of her prisoners here in a destitute condition; but a contribution has been raised here for their benefit, sufficient to supply their immediate wants, and I will take care that they are provided for till an opportunity offers to ship them to the States.

The Sumter remained here till the 5th instant, and was allowed to supply herself with coals and other necessary outfits. The British flag was hoisted on the government flag-staff for her arrival, and the officers of the British war vessel "Cadmus" appeared to be on amicable terms with those of the Sumter. The merchant who supplied the Sumter with coals did it with the consent and approval of our attorney general.

Being a loyal American, I consider it my duty to send you these informations, as there has been no consul of our nation in this island for many months.

* * * * *

I am, sir, your most obedient servant,

FRANCIS BERNARD.

The SECRETARY OF STATE of the United States.

Mr. Seward to Mr. Adams.

No. 85.]

DEPARTMENT OF STATE,
Washington, September 10, 1861.

SIR: I transmit a copy of an intercepted letter of the 30th of July last, from John P. Baldwin, of Richmond, Virginia, to Henry Adderley, at Nassau, New Providence, relative to the shipment of arms and powder from that place for the use of the insurgents in this country. The existing British statute for the prevention of armed expeditions against countries at peace with Great Britain is understood to be similar to our act of Congress of the 5th of April, 1818. Proceedings like that referred to in the letter of Baldwin, however, afford us special reason to expect legislation on the part of the British government of the character of our act of 1838, referred to in my instruction to you of the 7th instant, numbered 83. It may be, however, that the British executive government now has the power to prevent the exportation of contraband of war from British colonies near the United States for the use of the insurgents in the south. Should this be the fact, you will bring the subject to the attention of Lord Russell, and request that proper instructions in regard to it may be given to the colonial authorities.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES F. ADAMS, Esq.

Mr. Baldwin to Mr. Adderley.

RICHMOND, Virginia, July 30, 1861.

MY DEAR ADDERLEY: The secretary of the navy of the Confederate States of America has ordered from England, to be shipped to Nassau, a quantity of arms and powder. I have recommended them to be consigned to you, and

I have to ask of you, as a favor to me, to take good care of them. I will be with you soon, and will expect your aid in transshipping the same.

I must request you to regard this as a confidential communication, and will explain the reasons when we meet. You need not write me at all on the subject.

Hoping soon to see you, I remain your friend,

JNO. P. BALDWIN.

HENRY ADDERLEY, Esq.,
Nassau, N. P., Bahamas.

Mr. Seward to Mr. Adams.

No. 86.]

DEPARTMENT OF STATE,
Washington, September 11, 1861.

SIR: Your despatch of August 23d has been received.

The inefficiency of the British laws to prevent violations of our rights is deeply to be regretted. We shall necessarily be obliged to exercise vigilance in detecting the unlawful character and objects of British vessels approaching our coasts, which will not be pleasant to the government whose flag they will be perverting to such unfriendly uses.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extract.]

No. 44.]

LEGATION OF THE UNITED STATES,
London, September 14, 1861.

SIR: I now have the honor to transmit copies of two notes received yesterday from Lord Russell, in answer to my notes of the 3d of September, transmitting to him the bag of Mr. Bunch. It appears from one of them that Mr. Bunch has been acting under secret instructions, which are only now acknowledged because they have come to light, and that his granting a safe conduct to an emissary of secession, charged with treasonable papers, is no objection to his neutral character in the eyes of his employers. With regard to the question presented in the other note, it is satisfactory to me, at least in so far as it devolves all responsibility for the further treatment of the question into more capable hands. I transmit also a copy of my reply.

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HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

FOREIGN OFFICE, September 9, 1861.

SIR: I received, with some surprise, from Lord Lyons an intimation that a sealed bag, directed by one of her Majesty's consuls to her Majesty's secretary of state, had been seized and detained by order of the Secretary of State of the United States.

It seems to have been suspected that her Majesty's consul had inserted in his official bag, and covered with his official seal, the correspondence of the enemies of the government of the United States now engaged in open hostilities against them.

Had her Majesty's consul so acted he would have, no doubt, been guilty of a grave breach of his duty both towards his own government and that of the United States; but I am happy to say there does not appear, on opening the bag at the foreign office, to be any ground for such a suspicion.

Her Majesty's government were advised that the suspension of the conveyance by post of letters from British subjects between the northern and the southern States, was a contravention of the treaty on this subject contracted by the two governments. Her Majesty's government have been unwilling to press this view on the United States; but this stoppage of the post has occasioned great inconvenience to individuals, and I enclose a copy of a note from Mr. Bunch to the under secretary of foreign affairs, showing the mode in which he has endeavored to palliate the evil by enclosing private letters in his consular bag.

I shall address any further communication I may have to make on this subject to Lord Lyons.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

CHARLESTON, August 5, 1861.

Mr. Bunch presents his compliments to her Majesty's under secretary of state for foreign affairs, and takes leave to enclose to him herewith certain letters which are intended for the post.

They are principally letters of servants, governesses, &c., (British subjects,) which, owing to the discontinuance of the post, they are unable to send in any other way. Some also contain dividends, the property of British subjects, which they could scarcely receive without Mr. Bunch's intervention.

Mr. Bunch hopes that there is no irregularity in this proceeding. No expense of postage is incurred by the foreign office, as the bag in which the letters are contained goes by a private hand to Liverpool.

Her Majesty's UNDER SECRETARY OF STATE
For Foreign Affairs.

FOREIGN OFFICE, September 9, 1861.

The undersigned, her Majesty's principal secretary of state for foreign affairs, has received a communication from Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States at this court, dated the 3d instant, giving some information regarding the conduct of Mr. Bunch, her Majesty's consul at Charleston, in the United States, and requesting, on the part of the government of the United States, that Mr. Bunch may at once be removed from his office.

The undersigned will, without hesitation, state to Mr. Adams that in pursuance of an agreement between the British and French governments, Mr. Bunch was instructed to communicate to the persons exercising authority in the so-called Confederate States, the desire of those governments, that the

second, third, and fourth articles of the declaration of Paris should be observed by those States in the prosecution of the hostilities in which they were engaged. Mr. Adams will observe that the commerce of Great Britain and France is deeply interested in the maintenance of the articles providing that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to condemnation.

Mr. Bunch, therefore, in what he has done in this matter, has acted in obedience to the instructions of his government, who accept the responsibility of his proceedings so far as they are known to the foreign department, and who cannot remove him from his office for having obeyed his instructions.

But when it is stated in a letter from some person not named, that the first step to the recognition of the southern States by Great Britain has been taken, the undersigned has to decline all responsibility for such statement.

Her Majesty's government have already recognized the belligerent character of the southern States, and they will continue to consider them as belligerents. But her Majesty's government have not recognized, and are not prepared to recognize the so-called Confederate States as a separate and independent State.

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

LEGATION OF THE UNITED STATES,
London, September 13, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to acknowledge the reception this day of two notes from the right honorable Earl Russell, her Majesty's principal secretary of state for foreign affairs, both dated the 9th of September, and both in reply to notes addressed to his lordship by the undersigned on the 3d instant, touching the case of Mr. Bunch, her Majesty's consul at Charleston, and the mode of transmission of his despatches. The undersigned has the honor to inform his lordship that copies of these notes will be transmitted by the next steamer for the consideration of the government of the United States.

The undersigned requests Earl Russell to accept the assurance of his highest consideration.

CHARLES FRANCIS ADAMS.

Right Honorable EARL RUSSELL, &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 88.]

DEPARTMENT OF STATE,
Washington, September 14, 1861.

Sir: Your despatch of August 30 (No. 34) has just been received. Your note to Lord John Russell, which accompanies it, is approved. My despatch to you, (No. 83,) under the date of the 7th instant, will have reached you before this communication can arrive. You will have learned from that paper that your course, as now made known to me, was anticipated by the President,

and that he had already directed that the negotiation for our adhesion to the declaration of the congress of Paris should be suspended.

It is due to the British government to say that the letter of Lord John Russell to Mr. Edwards, upon Dominican affairs, to which you refer, and a copy of which you enclose, was read to me by Lord Lyons, pursuant to instructions from Lord Russell.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *etc.*, *etc.*, *etc.*

Mr. Seward to Mr. Adams.

No. 89.]

DEPARTMENT OF STATE,
Washington, September 14, 1861.

SIR: Your despatch of August 30 (No. 35) has been received. While I regret with you that the administration of the laws of Great Britain is such as to render comparatively ineffectual your efforts to defeat there the designs of parties in that country injurious to the United States, I have great pleasure in saying that the information we receive from you concerning them is often very valuable, and enables us to put our own authorities here in a way of vigilant surveillance which promises good results.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *etc.*, *etc.*, *etc.*

Mr. Seward to Mr. Adams.

[Confidential.]

No. 95.]

DEPARTMENT OF STATE,
Washington, September 25, 1861.

SIR: Your despatch of September 7 (No. 39) has just been received. Your review of the correspondence between us and the British government since you entered upon your mission is quite satisfactory, and we have every reason to be content with the details as with the results.

The time which has elapsed since the insurgents made their first unnatural appeal to the sympathies and aid of foreign powers for the overthrow of our government has been sufficient to draw out all their strength and exhaust in some measure their passion. On the other hand, the strength of the Union manifests itself with constant augmentation. Every day brings two thousand men and some new ship-of-war into activity, and the insurrection, already, is finding itself obliged to provide for a long and merely defensive contest, desolating the States which should constitute the new confederacy, while the loyal States remain prosperous and happy.

I think that Great Britain will soon be able to see, what she has hitherto been unwilling to see, that, if she, like ourselves, seeks peace and prosperity

on this continent, she can most effectually contribute to their restoration by manifesting her wishes for the success of this government in suppressing the insurrection as speedily as possible.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 97.]

DEPARTMENT OF STATE,
Washington, September 25, 1861.

SIR: Your despatch of September 6, No. 38, has been received.

Our naval force is rapidly increasing, and the command of it has recently been reorganized. We are preparing for some vigorous demonstrations on the coast, to begin in about ten days; and I trust, therefore, that we shall be able to defeat on this side the enterprises of the insurgents which we have been unable to prevent on the other.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Adams to Mr. Seward.

[Extract.]

No. 50.]

LEGATION OF THE UNITED STATES,
London, September 28, 1861.

SIR: * * * * *

During my stay at Abergeldie I alluded to instructions received at the moment of my leaving London, in your despatch, No. 84, of the 10th of September, directing me to make a complaint of the authorities at Trinidad for their mode of reception of the insurgent privateer, the Sumter. I read to him the copy of the letter of Mr. Bernard, which was enclosed. But I contented myself with only mentioning the subject, as I said I supposed I should be obliged to present the case hereafter, in a more formal way, in writing.

His lordship expressed a wish that I should take that course. The matter had already come before the colonial office, and it had been referred to the law officers of the crown, to report what was the action proper to be taken in similar cases.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 52.]

LEGATION OF THE UNITED STATES,
London, September 28, 1861.

SIR: I am much gratified to perceive, by the terms of your despatch, No. 83, dated the 7th of this month, a substantial ratification of the position taken by me in regard to Lord Russell's note of the 19th of August, and to the declaration which he proposed to append to the convention concerning neutral rights. I find in it, too, a general coincidence in the argument presented by me in my reply to his lordship on the 23d of August, a copy of which could not have reached the department down to the latest dates yet received. There are some views offered, however, in my note, which are not touched upon in that despatch. I am, therefore, not as yet fully certain whether, as a whole, it has met with the approbation of the President. For this reason I decided not to hold communication on the subject with Lord Russell, during the time of my late stay under his roof, but rather to wait until after the arrival of the next despatches from the department, which will probably bring a final review of the negotiation, as it appears, after an examination of all the papers that belong to it. I shall then be in a position to judge of the propriety of any further action which it may be advisable to pursue. His lordship informed me, on my taking leave of him, that he expected to return to London by the 14th of next month, after which I anticipate no delay, like the late one, in the transaction of important business.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Adams to Mr. Seward.

[Extract.]

No. 53.]

LEGATION OF THE UNITED STATES,
London, October 4, 1861.

SIR: I have to acknowledge the reception of despatches from the department, numbered from 85 to 89, both inclusive.

The despatch, No. 85, dated the 10th of September, like its immediate predecessor, No. 84, of the same date, though received here a week earlier, relates to cases of violation of neutrality in the British islands in the West Indies. I have now the honor to forward copies of two notes addressed by me to Lord Russell, one of the 30th of September, and the other of the following day, touching these questions.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, September 30, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, regrets to be obliged to inform the right honorable Earl Russell, her Majesty's principal secretary of state for foreign affairs, that he has been instructed by the President of the United States to prefer a complaint against the authorities of the island of Trinidad for a violation of her Majesty's proclamation of neutrality, by giving aid and encouragement to the insurgents of the United States. It appears by an extract from a letter received at the Department of State from a gentleman believed to be worthy of credit, a resident of Trinidad, Mr. Francis Bernard, a copy of which is submitted herewith, that a steam vessel, known as an armed insurgent privateer, called the *Sumter*, was received on the 30th of July last at that port, and was permitted to remain for six days, during which time she was not only furnished with all necessary supplies for the continuance of her cruise, under the sanction of the attorney general, but that her Majesty's flag was actually hoisted on the government flag-staff in acknowledgment of her arrival.

The undersigned has been directed by his government to bring this extraordinary proceeding to the attention of Lord Russell, and, in case it shall not be satisfactorily explained, to ask for the adoption of such measures as shall insure, on the part of the authorities of the island, the prevention of all occurrences of the kind during the continuance of the difficulties in America.

The undersigned deems it proper to add, in explanation of the absence of any official representation from Trinidad to substantiate the present complaint, that there was no consul of the United States there at the time of the arrival of the vessel. The undersigned had the honor, a few days since, to apprise Lord Russell of the fact that this deficiency had been since supplied, by preferring an application for her Majesty's exequatur for a new consul, who is already on his way to occupy his post.

The undersigned begs to renew to Earl Russell the assurances of his highest consideration.

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, &c., &c., &c.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, October 1, 1861.

MY LORD: It is with much regret that I find myself receiving, at every fresh arrival from the United States, instructions from my government to make representations to your lordship concerning alleged violations of her Majesty's proclamation of neutrality, committed by British subjects through the channel of the colonies situated near the United States. I have the honor now to submit to your lordship's consideration the copy of an intercepted letter from a person named John P. Baldwin, living at Richmond, in Virginia, in the service of the insurgents, addressed to Henry Adderley, esquire, of Nassau, New Providence. It appears by this letter that Nassau has been made, to some extent, an entrepot for the transmission of articles

contraband of war from Great Britain to the ports held by the insurgents. It would be a great source of satisfaction to the government of the United States to learn that her Majesty's government felt itself clothed with the necessary power to prevent the exportation of such contraband from the colonies for the use of the insurgents, and that it would furnish the necessary instructions to the local authorities to attain that end.

I pray your lordship to accept the assurances of the highest consideration, with which I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, &c., &c., &c.

Mr. Adams to Mr. Seward.

No. 58.]

LEGATION OF THE UNITED STATES,
London, October 11, 1861.

SIR: I have the honor to enclose a copy of Lord Russell's note to me of the 4th instant, in reply to my representation of the conduct of the authorities of the island of Trinidad, made under instructions from the department.

It will appear from this that the governor of Trinidad, by hoisting the British flag on the government flag-staff, probably desired to signify to the officers of the Sumter, on their arrival, the neutral character of the island, but that he in the meantime forgot that the act is susceptible of a very different construction in the popular mind.

* * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, October 4, 1861.

The undersigned, her Majesty's principal secretary of state for foreign affairs, has had the honor to receive a complaint from Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States at this court, against the authorities of the island of Trinidad for a violation of her Majesty's proclamation of neutrality, by giving aid and encouragement to the insurgents of the United States.

It appears, from the accounts received at the colonial office and at the admiralty, that a vessel bearing a secession flag entered the port of Trinidad on the 30th of July last.

Captain Hillyar, of her Majesty's ship "Cadmus," having sent a boat to ascertain her nationality, the commanding officer showed a commission signed by Mr. Jefferson Davis, calling himself the President of the so-styled Confederate States.

The "Sumter," which was the vessel in question, was allowed to stay six days at Trinidad, and to supply herself with coals and provisions, and the attorney general of the island perceived no illegality in these proceedings.

The law officers of the crown have reported that the conduct of the governor was in conformity to her Majesty's proclamation.

No mention is made by the governor of his hoisting the British flag on the government flag-staff; and if he did so, it was probably in order to show the national character of the island, and not in acknowledgment of the arrival of the "Sumter."

There does not appear, therefore, any reason to believe that her Majesty's proclamation of neutrality has been violated by the governor of Trinidad, or by the commanding officer of her Majesty's ship "Cadmus."

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 108.]

DEPARTMENT OF STATE,
Washington, October 22, 1861.

SIR: The receipt of your despatch of the 14th of September (No. 44) has been already acknowledged.

It was accompanied by Earl Russell's reply to the note which, in execution of my instructions, you addressed to him on the subject of the detention of a bearer of despatches sent by Robert Bunch, her Majesty's consul at Charleston, and the substitution by me of another person to convey his consular bag to Great Britain.

Earl Russell says, in his note, that if it had been true (as we apprehended) that Mr. Bunch had inserted into his official bag and covered with his official seal the correspondence of the enemies of this government in the United States, he would have been guilty of a grave breach of his duty towards his own government and that of the United States. Earl Russell says also, that on the opening of the bag at the foreign office (in London) no ground for that suspicion was revealed.

These declarations, made with unquestioned candor and freedom, are entirely satisfactory upon the main point involved in your note. It is therefore a pleasant duty for me to instruct you to reply to Earl Russell that this government regrets the interruption of the passage of the consular despatches, which has occurred in consequence of a mistaken suspicion that the agent who transmitted them was abusing the confidence of the two governments. I sincerely hope that no serious inconvenience resulted from the delay.

Earl Russell, after making the explanations which I have quoted, proceeds to remark that her Majesty's government was advised that the suspicion of the conveyance by post of letters from British subjects between the northern States and the southern States was in contravention of the treaty on this subject contracted between the two governments; that her Majesty's government had been, nevertheless, unwilling to press this view on the United States; but that this stoppage of the post has occasioned great inconvenience to individuals. His lordship then submits a copy of a note which Mr. Bunch had written to the under secretary of state, showing the mode in which he had endeavored to palliate the evil by enclosing private letters in his official bag. His lordship then dismisses the subject, saying that he shall address any further communication he may have to make thereon, to Lord Lyons.

Mr. Bunch, in his note, states that he encloses in the bag, to the under secretary's address, certain letters which are intended for the post, and that they are principally letters of servants, governesses, &c., British subjects,

which, owing to the discontinuance of the post, they are unable to send in any other way; also, that some of the letters contain dividends, the property of British subjects, which they could scarcely receive without Mr. Bunch's intervention. He adds that he hopes that there is no irregularity in this proceeding, since no expense of postage is incurred, because the bag in which the letters are contained goes by a private hand to Liverpool. I read this note under the light thrown upon it by the explanations of Earl Russell, which show that the whole correspondence contained in the bag was innocent.

In these circumstances, what remains open to special exception in Mr. Bunch's proceeding is, his substitution of his consular bag and official seal for the mail bag and mail locks of the United States, and of his own mail carrier for the mail carriers of the United States.

The proceeding of the consul in these respects, certainly is not defensible on any ground of treaty or international law; nor does Earl Russell in any way imply that he deems it is so. The proceeding however was practically harmless, and it is not likely to be repeated.

I confess to the fact of the interruption of the post, and also that it works literally a non-fulfilment of a treaty stipulation. I deplore it for that reason, as well as for the public and private injuries that it occasions, not only abroad but at home. But the British government is well aware that the interruption has occurred, not through the deliberate or even voluntary consent of the government, but through the sudden violence of an insurrection which has not only obstructed the mails, but which even seeks to overthrow not only the treaty in question, but even the government of the United States and the Union itself, which constitutes them one treaty-making and treaty-observing nation. Suppression of the correspondence between parties in that nation with each other in this country and in foreign countries is a measure which is essential to the suppression of the insurrection itself, and to a complete restoration of the functions of the government throughout the Union. I feel sure that the magnanimity of the British government may be relied upon not to complain, at one and the same time, of the breach of our international postal treaty under such circumstances, and of our resort to a measure which is indispensable to complete our ability to fulfil it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD,

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 109.]

DEPARTMENT OF STATE,
Washington, October 23, 1861.

SIR: I recur once more to your despatch of September 14, No. 44. On the 8d of that month you addressed a note to Earl Russell, in which you informed him, by my direction, that from the contents of the many letters found in the possession of Mr. Robert Mure, bearer of despatches to the government of Great Britain, but detained at New York as an agent of the enemies of the United States, the following statement is made of the action of Mr. Bunch in Charleston. "Mr. Bunch, on oath of secrecy, communicated to me also that the first step to recognition was taken; that he and Mr. Belligny together sent Mr. Trescot to Richmond yesterday to ask Jeff.

Davis, President, to ——— the treaty of ——— to ——— the neutral flag covering neutral goods to be respected. This is the first step of direct treating with our government. So prepare for active business by first of January."

You submitted this information to her Majesty's government with a request on the part of the President of the United States that, if it should be found to be correct, Mr. Bunch might be at once removed from his office. And you further added, by my direction, that the President would cheerfully accord an exequatur to any person who might be appointed to succeed Mr. Bunch, who would faithfully perform his functions without injury to the rights and interests of the United States.

There is appended to your despatch now before me the written answer of the Earl Russell to your note thus recited.

His lordship answers that he will, without hesitation, state to Mr. Adams that, in pursuance of an agreement between the British and French governments, Mr. Bunch was instructed to communicate to the persons exercising authority in the so-called Confederate States the desire of those governments that the second, third, and fourth articles of the declaration of Paris should be observed by those States in the prosecution of the hostilities in which they were engaged. His lordship then asked you to observe that the commerce of Great Britain and France is deeply interested in the maintenance of the articles providing that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to confiscation. Earl Russell thereupon proceeds to say that Mr. Bunch, in what he has done in this matter, has acted in obedience to the instructions of his government, who accept the responsibility of his proceedings, so far as they are known to the foreign department, and who cannot therefore remove him from his office for having obeyed their instructions. But his lordship adds that, when it is stated in a letter from some person not named that the first step to the recognition of the southern States by Great Britain has been taken, he, Earl Russell, begs to decline all responsibility for such statement; and he remarks on this branch of the subject that her Majesty's government have already recognized the belligerent character of the southern States, and they will continue to consider them as belligerents, but that her Majesty's government have not recognized, and are not prepared to recognize, the so-called Confederate States as a separate and independent State.

You are instructed to reply to this note of her Majesty's principal secretary of state for foreign affairs:

First. That her Majesty's government having avowed that Mr. Bunch acted under their instructions, so far as his conduct is known to the foreign department, and that government having avowed their responsibility for his proceedings in that extent, it is admitted that, so far as that portion of the subject is concerned, the matter is to be settled directly with her Majesty's government.

Secondly. That a law of the United States forbids any person not specially appointed or duly authorized or recognized by the President, whether citizen or denizen, privileged or unprivileged, from counselling, advising, aiding, or assisting in any political correspondence with the government of any foreign state whatever, with an intent to influence the measures of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the government. The proceeding of Mr. Bunch was clearly and distinctly in violation of this positive law.

Thirdly. This government finds no sufficient justification or excuse for the proceeding of Mr. Bunch, thus shown to be in violation of the law of the United States, in the consideration that Great Britain was deeply

interested in the maintenance of the articles which provide that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to confiscation.

It is enough to say on this subject that, in our view, the proper agents of the British government, to make known that interest here, are the diplomatic, not the consular agents of her Majesty; and that the only authority in this country to which any diplomatic communication whatever can be made is the government of the United States itself.

Still less can the United States admit that communication by Mr. Bunch, while exercising consular privileges with which he was clothed by the consent of the United States, with insurgents in arms against the federal government, is justified by the declaration of the British ministry that they have already recognized the belligerent character of the insurgents, and that they will continue to consider them as belligerents. It is understood to be true that her Majesty's government have heretofore issued a royal proclamation which they interpret as declaring that they recognize the insurgents as a belligerent. But it is also true that this government has, with equal decision and with equal resolution, announced to the British government that any such declaration made by the British government would not be accepted as modifying, in the least degree, the rights or powers of this government, or the obligations due to them by Great Britain as a friendly nation. Still adhering to this position, the government of the United States will continue to pursue, as it has heretofore done, the counsels of prudence, and will not suffer itself to be disturbed by excitement. It must revoke the exequatur of the consul, who has not only been the bearer of communications between the insurgents and a foreign government, in violation of our laws, but has abused equally the confidence of the two governments by reporting, without the authority of his government, and in violation of their own policy as well as of our national rights, that the proceeding in which he was engaged was in the nature of a treaty with the insurgents, and the first step towards a recognition by Great Britain of their sovereignty. Moreover, the conduct of the person in question, even while this correspondence has been going on, as well as before it commenced, has been that, not of a friend to this government, or even of a neutral, but of a partisan of faction and disunion.

In reviewing this subject it would be unjust to her Majesty's minister residing here, as well as to her Majesty's government, to omit to say that that minister has, in all his proceedings, carefully respected the sovereignty and the rights of the United States, and that the arrangements which have been made by him, with the approval of this government, for communication between the British government and its consuls, through the national vessels of Great Britain entering blockaded ports without carrying passengers or private letters, seems to forbid any necessity for a recurrence of such proceedings as those which have brought about these explanations. You will inform the Earl Russell that the exequatur of Mr. Bunch has been withdrawn because his services as consul are not agreeable to this government, and that the consular privileges thus taken from him will be cheerfully allowed to any successor whom her Majesty may appoint, against whom no grave personal objections shall exist. It is a source of satisfaction to the President to reflect that the proceeding which I have been considering occurred some time ago, and that the part of it which was most calculated to offend, and to which exception is now especially taken, finds no support in the communication of Earl Russell.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 112.]

DEPARTMENT OF STATE,
Washington, October 29, 1861.

SIR: Your despatch of October 11, No. 58, has been received. It is accompanied by Lord Russell's reply to the note which you addressed to him by my direction, asking an explanation of the conduct of the colonial authorities in Trinidad on the occasion of the entrance of the piratical vessel the "Sumter" into that port.

Lord Russell admits that the "Sumter," (an armed American vessel,) bearing an insurgent flag, entered the port of Trinidad, and when boarded and required to show her nationality, her commanding officer showed no legal authority from this government, but a pretended commission from a citizen of the United States, notoriously engaged in arms against them. Notwithstanding these facts, it is not denied that the governor of the island hoisted the British flag on the government flag-staff, although it is stated by Lord Russell that, if he did so, it was probably done in order to show the national character of the island, and not in acknowledgment of the arrival of the "Sumter."

His lordship, however, admits that the "Sumter" was allowed to remain six days in Trinidad, and that during her stay she was allowed to supply herself with coals and provisions. The armament, the insurgent flag, and the spurious commission told the governor, as they sufficiently prove to her Majesty's government, that the "Sumter" is and can be nothing else than a piratical vessel. Her depredations on the commerce of this country form a part of the history of our times. The British government has, moreover, been directly informed by us that the "Sumter" is a piratical craft, and that the navigators and seamen on board of her are pirates, punishable by the laws of their own country with death. Lord Russell informs us that the law officers of the crown have nevertheless reported that the conduct of the colonial authorities of Trinidad is in conformity to her Majesty's proclamation. Her Majesty's government dismiss our complaint from their consideration.

In view of these facts, it becomes my duty to instruct you to inform the British government that the President deeply regrets that Lord Russell is altogether unable to give to our complaint a satisfactory solution.

When it is considered how important a part commerce plays among the interests of our country, it will be seen that the United States cannot consent that pirates engaged in destroying it shall receive shelter and supplies in the ports of friendly nations. It tends to the universal derangement of commerce when piracy is anywhere tolerated, and therefore its suppression is a common interest of all civilized countries. But if any one power fails to preserve this interest, and to act for the common welfare, then it is easy to see that each state must provide for its own security at whatever cost, and however it may disturb the general harmony of the commercial world.

This government will consider how its safety may be best secured; but it cannot forbear from expressing a hope that her Majesty's ministers, in view of the gravity of the question, may deem the subject worthy of a deliberate reconsideration.

I am, sir, your most obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Lord Lyons.

[Circular.]

DEPARTMENT OF STATE,
Washington, October 4, 1861.

MY LORD: I regret to inform you that information has reached this department that foreign vessels-of-war, which have entered ports of States in insurrection against the government of the United States, under blockade, have, in some instances, carried passengers, and in others private correspondence. It is presumed that such proceedings could not have taken place with the knowledge or approval of the governments of foreign countries.

With a view, however, to prevent any misunderstanding in future, it is distinctly to be understood that no foreign vessel-of-war, which may enter or depart from a blockaded port of the United States, will carry any person as a passenger, or any correspondence other than that between the government of the country to which the vessel may belong and the diplomatic and consular agents of such country at the ports adverted to.

I avail myself of this occasion to offer to your lordship a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

To the Right Honorable LORD LYONS, &c., &c., &c.

Lord Lyons to Mr. Seward.

BRITISH LEGATION,
Washington, D. C., October 12, 1861.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant, relative to communications between ships-of-war and the ports in the southern States, now under blockade.

You have apprised me in that note that information has reached the Department of State that foreign vessels-of-war which have entered those ports since they were blockaded, have in some instances carried passengers, and in others private correspondence. You were so good as to assure me verbally, yesterday, that no British ship-of-war was included among those to which your note thus referred. Indeed, I have every reason to believe that, with a single exception, no British ship-of-war has communicated with any of the ports under blockade. The ship which I except is the "Steady;" of my intention to request the commander of this ship to leave official despatches at Charleston, I had the honor to inform you on the 18th of last month. The "Steady" accordingly sailed for Charleston a few days afterwards. She carried no letters except official despatches from me or other authorities of foreign governments in the United States, and no passenger excepting Mr. Fullaston, her Majesty's acting consul at Savannah, who was landed at Charleston on his way back to his post.

As several of my colleagues have expressed to me their desire to send official despatches to the consuls of their respective governments by any of her Majesty's ships which may hereafter convey despatches for me to the ports under blockade, I shall be much obliged if you will inform me whether you see any objection to my forwarding to those ports, by her Majesty's

ships, despatches addressed by official authorities of foreign countries to other official authorities of their own countries.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Lord Lyons to Mr. Seward.

WASHINGTON, October 14, 1861.

SIR: Her Majesty's government were much concerned to find that two British subjects, Mr. Patrick and Mr. Rahming, had been subjected to arbitrary arrest; and although they had learnt from a telegraphic despatch from me that Mr. Patrick had been released, they could not but regard the matter as one requiring their very serious consideration.

Her Majesty's government perceive that when British subjects as well as American citizens are arrested they are immediately transferred to a military prison, and that the military authorities refuse to pay obedience to a writ of habeas corpus.

Her Majesty's government conceive that this practice is directly opposed to the maxim of the Constitution of the United States "that no person shall be deprived of life, liberty, or property without due process of law."

Her Majesty's government are willing, however, to make every allowance for the hard necessities of a time of internal trouble; and they would not have been surprised if the ordinary securities of personal liberty had been temporarily suspended, nor would they have complained if British subjects falling under suspicion had suffered from the consequences of that suspension.

But it does not appear that Congress has sanctioned in this respect any departure from the due course of law; and it is in these circumstances that the law officers of the crown have advised her Majesty's government that the arbitrary arrests of British subjects are illegal.

So far as appears to her Majesty's government, the Secretary of State of the United States exercises, upon the reports of spies and informers, the power of depriving British subjects of their liberty, of retaining them in prison, or liberating them, by his own will and pleasure.

Her Majesty's government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity subsisting between the two nations, and as tending to prevent the resort of British subjects to the United States for the purposes of trade and industry.

Her Majesty's government have therefore felt bound to instruct me to remonstrate against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects.

I have the honor to be, sir, with the highest consideration, your most obedient, humble servant,

LYONS.

HON. WILLIAM H. SEWARD, &c.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE.
Washington, October 14, 1861.

MR LORD: I have the honor to acknowledge your lordship's note of the present date.

In that paper you inform me that the British government is much concerned to find that two British subjects, Mr. Patrick and Mr. Rahming, have been brought under arbitrary arrest, and that although her Majesty's ministers have been advised by you of the release of Mr. Patrick, yet they cannot but regard the matter as requiring the very serious consideration of this government.

You further inform me that her Majesty's government perceive that when British subjects, as well as American citizens, are arrested, they are transferred to a military prison, and that the military authorities refuse to pay obedience to a writ of habeas corpus.

You add that her Majesty's government conceive that this practice is directly opposed to the maxim of the Constitution of the United States that no person shall be deprived of life, liberty, or property, without due process of law. You then observe that her Majesty's government are nevertheless willing to make every allowance for the hard necessities of a time of internal trouble, and they would not have been surprised if the ordinary securities of personal liberty had been temporarily suspended, nor would they have complained if British subjects, falling under suspicion, had suffered from the consequences of that suspension. But that it does not appear that Congress has sanctioned, in this respect, any departure from the due course of law, and it is in these circumstances that the law officers of the crown have advised her Majesty's government that the arrests of British subjects are illegal.

You remark further, that, so far as appears to her Majesty's government, the Secretary of State for the United States examines upon the reports of spies, and assumes the power of depriving British subjects of their liberty or liberating them by his own will and pleasure; and you inform me that her Majesty's government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity subsisting between the two nations, and as tending to prevent the resort of British subjects to the United States for purposes of trade and industry. You conclude with informing me that upon these grounds her Majesty's government have felt bound to instruct you to remonstrate against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects.

The facts in regard to the two persons named in your note are as follows:

Communications from the regular police of the country to the Executive at Washington showed that disloyal persons in the State of Alabama were conducting treasonable correspondence with confederates, British subjects and American citizens, in Europe, aimed at the overthrow of the federal Union by armed forces actually in the field, and besieging the capital of the United States. A portion of this correspondence which was intercepted was addressed to the firm of Smith & Patrick, brokers, long established and doing business in the city of New York. It appeared that this firm had a branch at Mobile; that the partner, Smith, is a disloyal citizen of the United States, and that he was in Europe when the treasonable papers were sent from Mobile, addressed through the house of Smith & Patrick, in New York. On receiving this information William Patrick was arrested and committed

into military custody at Fort Lafayette by an order of the Secretary of War of the United States, addressed to the police of the city of New York. These proceedings took place on the 28th of August last.

Representations were thereupon made to the Secretary of State by friends of Mr. Patrick to the effect that notwithstanding his associations he was personally loyal to this government, and that he was ignorant of the treasonable nature of the correspondence which was being carried on through the mercantile house of which he was a member. Directions were thereupon given by the Secretary of State to a proper agent to inquire into the correctness of the facts thus presented, and this inquiry resulted in the establishment of their truth. Mr. William Patrick was thereupon promptly released from custody by direction of the Secretary of State. This release occurred on the thirteenth day of September last.

On the second day of September the superintendent of police in the city of New York informed the Secretary of State, by telegraph, that he had under arrest J. C. Rahming, who had just arrived from Nassau, where he had attempted to induce the owners of the schooner "Arctic" to take cannon to Wilmington, in North Carolina, for the use of the rebels, and inquired what should he do with the prisoner. J. C. Rahming was thereupon committed into military custody at Fort Lafayette under a mandate from the Secretary of State. This commitment was made on the second day of September. On the 17th day of that month this prisoner, after due inquiry, was released from custody on his executing a bond in the penalty of two thousand five hundred dollars, with a condition that he should thereafter bear true allegiance to the United States, and do no act hostile or injurious to them while remaining under their protection.

I have to regret that, after so long an official intercourse between the governments of the United States and Great Britain, it should be necessary now to inform her Majesty's ministers that all executive proceedings, whether of the Secretary of War or of the Secretary of State, are, unless disavowed or revoked by the President, proceedings of the President of the United States.

Certainly it is not necessary to announce to the British government now that an insurrection, attended by civil and even social war, was existing in the United States when the proceedings which I have thus related took place. But it does seem necessary to state, for the information of that government, that Congress is, by the Constitution, invested with no executive power or responsibility whatever; and, on the contrary, that the President of the United States is, by the Constitution and laws, invested with the whole executive power of the government, and charged with the supreme direction of all municipal or ministerial civil agents, as well as of the whole land and naval forces of the Union; and that, invested with those ample powers, he is charged by the Constitution and laws with the absolute duty of suppressing insurrection as well as of preventing and repelling invasion; and that for these purposes he constitutionally exercises the right of suspending the writ of *habeas corpus* whenever and wheresoever and in whatsoever extent the public safety, endangered by treason or invasion in arms, in his judgment requires.

The proceedings of which the British government complain were taken upon information conveyed to the President by legal police authorities of the country, and they were not instituted until after he had suspended the great writ of freedom in just the extent that, in view of the perils of the State, he deemed necessary. For the exercise of that discretion he, as well as his advisers, among whom are the Secretary of War and the Secretary of State, is responsible by law before the highest judicial tribunal of the republic, and amenable also to the judgment of his countrymen and the enlightened opinion of the civilized world.

A candid admission contained in your letter relieves me of any necessity for showing that the two persons named therein were neither known nor supposed to be British subjects when the proceedings occurred, and that in every case subjects of her Majesty residing in the United States, and under their protection, are treated during the present troubles in the same manner and with no greater or less rigor than American citizens.

The military prison which was used for the temporary detention of the suspected parties is a fort constructed and garrisoned for the public defence. The military officer charged with their custody has declined to pay obedience to the writ of habeas corpus, but the refusal was made in obedience to an express direction of the President, in the exercise of his functions as commander-in-chief of all the land and naval forces of the United States. Although it is not very important, it certainly is not entirely irrelevant to add that, so far as I am informed, no writ of habeas corpus was attempted to be served, or was even sued out or applied for in behalf of either of the persons named; although in a case not dissimilar the writ of habeas corpus was issued out in favor of another British subject, and was disobeyed by direction of the President.

The British government have candidly conceded, in the remonstrance before me, that even in this country, so remarkable for so long an enjoyment, by its people of the highest immunities of personal freedom, war, and especially civil war, cannot be conducted exclusively in the forms and with the dilatory remedies provided by municipal laws which are adequate to the preservation of public order in a time of peace. Treason always operates, if possible, by surprise, and prudence and humanity therefore equally require that violence concocted in secret shall be prevented if practicable by unusual and vigorous precaution. I am fully aware of the inconveniences which result from the practice of such precaution, embarrassing communities in social life, and affecting perhaps trade and intercourse with foreign nations. But the American people, after having tried in every way to avert civil war, have accepted it at last as a stern necessity. Their chief interest, while it lasts, is not the enjoyments of society, or the profits of trade, but the saving of the national life. That life saved, all the other blessings which attach to it will speedily return, with greater assurance of continuance than ever before. The safety of the whole people has become, in the present emergency, the supreme law, and so long as the danger shall exist, all classes of society equally, the denizen and the citizen, cheerfully acquiesce in the measures which that law prescribes.

This government does not question the learning of the legal advisers of the British crown or the justice of the deference which her Majesty's government pays to them. Nevertheless the British government will hardly expect that the President will accept their explanations of the Constitution of the United States, especially when the Constitution, thus expounded, would leave upon him the sole executive responsibility of suppressing the existing insurrection, while it would transfer to Congress the most material and indispensable power to be employed for that purpose. Moreover, these explanations find no real support in the letter, much less in the spirit, of the Constitution itself. He must be allowed, therefore, to prefer and be governed by the view of our organic national law, which, while it will enable him to execute his great trust with complete success, receives the sanction of the highest authorities of our own country, and is sustained by the general consent of the people, for whom alone that Constitution was established. I avail myself of this opportunity to offer to your lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord Lyons, &c.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 14, 1861.

MY LORD: I have had the honor to receive your note of the 12th instant, in answer to mine of the 4th, relative to the carriage of passengers and private letters in vessels of war of foreign powers to and from ports of the United States under blockade.

In reply, I have the honor to acquaint you that no complaint has been made to this department that any British vessel had indulged in this practice; but insomuch as such a proceeding, if acquiesced in at all by this government, would defeat the objects of the blockade, it was deemed advisable to address a circular upon the subject to the representatives here of the principal maritime powers. No objection is entertained to the transmission, through the channel of vessels of war of friendly powers, of any *official* correspondence with the agents of those powers in blockaded ports.

I avail myself of this occasion to offer to your lordship a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, &c., &c., &c.

Mr. Seward to Lord Lyons.

CIRCULAR.

DEPARTMENT OF STATE,
Washington, October 16, 1861.

MY LORD: The judge of the court of the United States for the southern district of New York having recently decided, after elaborate argument of counsel, that the law of blockade does not permit a vessel in a blockaded port to take on board cargo after the commencement of the blockade, with a view to avoid any future misunderstanding upon this subject, you are informed that the law, as thus interpreted by the judge, will be expected to be strictly observed by all vessels in ports of insurgent States during their blockade by the naval forces of the United States.

I avail myself of this occasion to offer to your lordship a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, &c., &c., &c.

Lord Lyons to Mr. Seward.

WASHINGTON, October 17, 1861.

SIR: I beg to offer you my thanks for the note dated the 14th instant, which you have done me the honor to write to me in answer to that dated the 12th instant, which I addressed to you on the subject of transmitting official correspondence by her Majesty's ships of war to the blockaded ports.

It is with reluctance that I importune you further in this matter. But as I am very anxious to avoid all risk of misapprehending your wishes, I venture

to ask you whether I am right in understanding that you have no objection to my sending to the blockaded ports, by her Majesty's ships of war, not only British official correspondence with British authorities, but also the official correspondence of other powers friendly to the United States, with the agents of the same powers in the southern States.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

The Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 18, 1861.

MY LORD: I have the honor to acknowledge the receipt of your note of yesterday, and to state, in reply, that it was intended in my previous communication, to which it refers, to say that official correspondence of other powers with the agents of those powers in blockaded ports, as well as that of British authorities with their agents, might be sent by British vessels of war.

I am, &c.,

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, &c., &c., &c.

Lord Lyons to Mr. Seward.

WASHINGTON, October 23, 1861.

SIR: Having received information that a bag of despatches addressed by her Majesty's acting consul at Richmond, in Virginia, to her Majesty's consul at New York had been taken from a gentleman of the name of Crosse, at Baltimore, and sent to General Dix, I directed Mr. Bernal, her Majesty's consul at the latter place, to make inquiries of the general on the subject. You will perceive by the enclosed copy of a despatch from Mr. Bernal that the general referred him to you. I therefore do myself the honor to ask you to be so kind as to favor me with such information as it seems proper that I should receive with regard to the seizure of the despatches in question.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Mr. Bernal to Lord Lyons.

BRITISH CONSULATE,
Baltimore, October 22, 1861.

MY LORD: In pursuance of the instructions in your lordship's despatch of the 19th (received this morning) having reference to the reported seizure of a bag of despatches, I proceeded to Fort McHenry, where I had an interview with General Dix. I asked him to be good enough to inform me if it

was true that on or about the 16th instant a bag of despatches, addressed to her Majesty's consul in New York by her Majesty's acting consul at Richmond, was taken away from Mr. Thomas Crosse, a British subject, by the provost marshal in this city, and sent to him. General Dix replied very briefly that he must decline giving me any information, and referred me to Mr. Seward. In order that there should be no mistake, I repeated my question, and received the same answer.

I have, &c.,

F. BERNAL.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 24, 1861.

MY LORD: I have the honor to acknowledge the receipt of your note of yesterday, requesting information in regard to a bag supposed to contain despatches from the acting British consul at Richmond, addressed to Mr. Archibald, the British consul at New York, which bag was taken from a man named Cross by the provost marshal of Baltimore.

In reply, I have the honor to inform you that having received information from General Dix that such a bag had been found concealed in the trunk of a man of that name—a spy of the insurgents, who escaped before he could be arrested—I directed the general to forward it hither. On its arrival, although it had a label attached to it, addressed to Mr. Archibald, and the words on her Britannic Majesty's service, there was nothing to identify it as having been forwarded by the British vice-consul at Richmond. This circumstance, in connexion with those under which the bag was brought through the military lines of the United States, naturally occasioned doubts as to its containing official correspondence. I consequently directed the bag to be opened, when it proved to contain not a single communication for Mr. Archibald, or for any other officer of the British government on this continent. It did contain a few apparently official letters to functionaries of the British government at London. These were promptly forwarded, as received, to Mr. Adams, with directions to cause them to be delivered to their address.

The other contents of the bag are, and will be, retained here. It is unnecessary to specify their character. I will only add that they are such as no consul, or acting consul, of a foreign government has a right to forward in any way from a place in rebellion against this government.

I avail myself of this occasion to offer to your lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

To Lord Lyons.

Lord Lyons to Mr. Seward.

WASHINGTON, October 28, 1861.

SIR: Her Majesty's government have had under their consideration the note which I had the honor to address to you on the 22d ultimo, with the despatch from Mr. Consul Archibald which accompanied it.

Her Majesty's government have learned with much surprise, from those papers, the cruel treatment to which the nine British seamen who were imprisoned in Fort Lafayette were subjected by the United States authorities. Her Majesty's government are unable to comprehend the grounds on which persons, who were accused of no offence, were confined in irons and treated as criminals; and although it has been satisfactory to them to learn, from the answer which you did me the honor to make to my representations on the subject, that orders were given for the release of these men, yet her Majesty's government cannot but consider that some amends are due to them for the sufferings to which they were thus causelessly exposed. Her Majesty's government have accordingly instructed me to bring the matter again to the notice of the government of the United States, and to express their hope that due compensation may be awarded to the sufferers.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Mr. Seward to Mr. Adams.

No. 122.]

DEPARTMENT OF STATE,
Washington, November 11, 1861.

SIR: The case in regard to pirates engaged by the insurgents in this country practically stands thus: every naval power, and every commercial power except one, practically excludes them from their ports, except in distress, or for a visit of any kind longer than twenty-four hours, and from supplies, except of coals, for twenty-four hours' consumption.

Great Britain, as we are given to understand by the answer of Earl Russell, allows these pirates to visit her ports and stay at their own pleasure, receiving supplies without restriction.

We find it difficult to believe that the government of Great Britain has constituted this exception with full deliberation. I intimated in a preceding despatch, No. 112, a hope that the subject might be reconsidered before it should be necessary for us to consider what remedies we can adopt to prevent the evils which must result to our commerce from the policy thus indicated by Great Britain. I have consulted on the subject with Lord Lyons, and he may perhaps communicate with his government thereupon. Meantime, I am directed by the President to instruct you to recall the attention of her Majesty's government to the question, under the influences of a spirit of peace and friendship, and with a desire to preserve what remains of a commerce mutually important to both countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

CASE OF THE PERTHSHIRE.

*Lord Lyons to Mr. Seward.*BRITISH LEGATION,
Washington, D. C., October 11, 1861.

SIR: I have the honor to transmit to you a copy of a memorial addressed to Earl Russell, her Majesty's principal secretary of state for foreign affairs, by Mr. William Gray, owner of the British ship "Perthshire," which appears to have been interfered with by United States ships-of-war. I am directed by Lord Russell to ask the government of the United States for an explanation.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. W. H. SEWARD, &c., &c., &c.

*Mr. Gray to Earl Russell.*HARTLEPOOL, *August 28, 1861.*

MY LORD: I take the liberty of directing your lordship's attention, in your official capacity as secretary of state for foreign affairs, to the following facts connected with the seizure and detention by a United States steamship of the ship "Perthshire," of the port of Hartlepool, whilst engaged in lawful commerce upon the high seas, and to request that your lordship will, through the British ambassador at Washington, bring the case before the government of the United States, and demand compensation for the loss I have sustained by the detention of my ship, and which loss I estimate at the sum of two hundred pounds sterling, besides rendering void all insurances effected upon the ship, her cargo and freight, (of the gross value of forty thousand pounds sterling,) by compelling the ship to deviate from her voyage.

The "Perthshire," a ship of 810 tons register, was chartered by a merchant in Liverpool, in March last, to proceed in ballast from Grimsby to Pensacola, and there load a cargo of timber for the United Kingdom; the charterer, however, having the option, through his agent at Pensacola, of ordering the ship to Mobile to load cotton for Liverpool at a lump sum of £2,300.

The ship sailed from Grimsby in March last, and on the 13th of May was making for the harbor of Pensacola, when she was ordered to heave to by the commander of the United States steamship "Niagara." She was boarded by Lieutenant Brown, boarding officer, who informed Captain Oates, of the "Perthshire," that Pensacola was blockaded, and indorsed the vessel's register as follows:

"Boarded by the United States squadron May 13, 1861, and warned not to enter the harbor of Pensacola.

"GEORGE BROWN,
"Lieut. United States Navy, Boarding Officer."

In reply to the inquiry of Captain Oates, the lieutenant informed him that Mobile was not blockaded. The ship then proceeded to Mobile, where she arrived on the 14th May. Mobile was not blockaded until May 26. At Mobile the "Perthshire" loaded a cargo of cotton for Liverpool, and proceeded to sea on May 31; outside the port she was again boarded by the boarding officer of the United States steamship "Niagara," who examined his [her] clearances, expressed himself satisfied with them, and said the ship might proceed on her voyage. She proceeded with light and variable winds until the 9th of June, when she was boarded by the boarding officer of the United States ship "Massachusetts," who, after communicating with his ship, sent a prize crew of 29 men and 2 officers on board the "Perthshire," who took possession of the ship and all the captain's papers, hauled down the British flag and hoisted the United States flag. They altered the course of the ship, and took her back towards Pensacola, off which place, on the 12th of June, after sailing about 200 miles back, they fell in with the United States squadron, the commander of which ordered the "Perthshire's" release, without, however, making any compensation for the detention to which she had been subjected, nor for the ship's stores, consisting of tea, coffee, and sugar, used by the prize crew whilst on board the "Perthshire."

On the ship being released, the captain's papers were returned to him, and his clearance indorsed as follows :

"Boarded June 9, 1861, by the United States steamship 'Massachusetts,' detained under note 159, page 339, Vattel's Law of Nations; liberated by commanding officer of the Gulf squadron June 12, 1861."

This indorsement was without any signature.

A paper was given to the captain of the "Perthshire," on which was written, also without signature, as follows :

"Vattel's Law of Nations. Sir Walter Scott's Opinion. Note 159, page 339, article 3. Things to be proved:

- "1. The existence of a blockade.
- "2. The knowledge of the party supposed to have offended.
- "3. Some act of violation."

Such, my lord, is a plain, unvarnished statement of the facts connected with this extraordinary seizure and detention. The ship having reached her destination safely prevents a discussion as to liability in the event of loss after the deviation in the voyage, but which the Liverpool underwriters say they would have been exempted from had such taken place.

The ground upon which I base my claim for £200 is as follows: The ship had been nine days at sea when she was seized. She was taken back almost to the place from which she first started, and three days after that (or twelve days from leaving Mobile) she was as far from Liverpool as on the 31st of May, when she sailed from Mobile. Her freight was about £550 per month, and twelve days at that rate is about the sum I claim.

The case of the "Perthshire," my lord, has been commented upon by all the leading journals in Great Britain, and without exception they pronounce it a case in which our government ought to make a demand for damages. I venture to hope, therefore, that your lordship will take such steps with regard to this matter as will prevent a repetition of improper interference with British ships, and at the same time obtain for me the reasonable and fair compensation I claim.

I have, &c.

WILLIAM GRAY,
Owner of the ship "Perthshire."

The Right Hon. Earl RUSSELL, &c., &c., &c.

Mr. Seward to Mr. Welles.

DEPARTMENT OF STATE,
Washington, October 19, 1861.

SIR: I transmit herewith a copy of a note from the British minister of the 11th instant, and of its accompaniment, respecting an alleged interference with the British ship "Perthshire" by vessels of the United States blockading squadron.

I will thank you to furnish me with such information upon the subject as will enable me to reply to the note of Lord Lyons.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

HON. GIDEON WELLES,
Secretary of the Navy.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 19, 1861.

MY LORD: I have the honor to acknowledge the receipt of your note of the 11th instant, accompanied by a copy of a memorial addressed to her Majesty's principal secretary of state for foreign affairs, by Mr. William Gray, owner of the British ship Perthshire, alleged to have been interfered with by United States ships-of-war.

A copy of those papers has been transmitted to the Secretary of the Navy with a view to a proper investigation of the matter. When the reply of that officer shall have been received, I shall lose no time in communicating to your lordship the result of the investigation.

Accept, my lord, the assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, &c., &c., &c.

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, October 24, 1861.

SIR: I have the honor to acknowledge the receipt of your letter of the 19th instant and enclosures, and to transmit herewith a copy of a report of Captain William W. McKean, commanding United States ship Niagara, and a copy of a report of Commander Melancton Smith, which contain such information as the department possesses in relation to the seizure of the British ship "Perthshire" by the United States steamer Massachusetts, and her subsequent release by order of Captain McKean.

I am, respectfully, your obedient servant,

GIDEON WELLES.

HON. WILLIAM H. SEWARD,
Secretary of State.

Captain McKean to Commodore Mervine.

UNITED STATES STEAMER NIAGARA,
Off Southwest Pass of Mississippi, September 19, 1861.

SIR: Your communication of the 17th instant, with the accompanying document, was received on the 18th instant.

The English ship "Perthshire," Captain James Oates, left the harbor of Mobile on the 30th of June, 1861, and was boarded by Lieutenant Spicer, from this ship, and passed by my order, the fifteen days allowed by the proclamation of the President of the United States for neutral vessels to depart not having expired.

I am under the impression that no indorsement was made upon her register, as I did not consider it necessary.

I arrived off Fort Pickens in the Niagara early on the morning of the 12th of June, 1861. A large ship, which proved to be the "Perthshire," had just anchored.

Immediately after the Niagara had come to anchor, Commander M. Smith, commanding the United States steamer Massachusetts, came on board and reported having captured the Perthshire in latitude 27° 27' and longitude 85° 31'.

I stated to Commander Smith that the Perthshire had left Mobile within the time allowed by the President's proclamation; that I considered the capture illegal, as, by order of the department, no neutral vessel not having on board contraband of war, was to be detained or captured unless attempting to leave or enter a blockaded port after the notification of blockade had been indorsed on her register. I therefore directed him to release the "Perthshire," and to replace such provisions and stores as might have been used by the prize crew.

She was accordingly released and immediately got under way, Commander Smith having reported to me that he had not only replaced such provisions as had been used, but had also supplied her with water.

I subsequently received from Captain Adams the report of Commander Smith, a copy of which is herewith submitted. It bears no date.

As I was in hourly expectation of your arrival from Key West, I had fully intended reporting the circumstances to you, but it escaped my memory.

I am, sir, your obedient servant,

WM. W. McKEAN, *Captain.*

Flag Officer WILLIAM MERVINE,
Commanding Gulf Blockading Squadron,
United States Steam Frigate "Colorado."

Commander Smith to commanding officer Gulf squadron.

U. S. STEAMER MASSACHUSETTS,
Off Pensacola, Florida.

SIR: I have to report that on the 9th instant, in latitude 27° 27', and longitude 85° 31', I boarded and seized as a prize the English ship "Perthshire," from Mobile, bound to Liverpool, with a cargo of 2,240 bales of cotton; said ship having been boarded by one of the blockading fleet off Pensacola, May 13th, and warned not to enter the harbor.

Two officers and twenty-nine men were placed on board the prize, and

Mr. Wm. R. Clark, acting master, was directed to proceed with all possible despatch and report to the senior commanding officer of the Gulf squadron for instructions.

In addition to the above, I boarded ship Janico from Mobile, ship Carl and bark Mary from New Orleans, all loaded with cotton, and with registers indorsed; also ship Bramley Moore, from New Orleans, register not indorsed, but allowed her to proceed upon her voyage, as the time granted vessels to clear, according to the notification of blockade, had not expired.

Very respectfully,

MELANCTON SMITH,
Commander.

The COMMANDING OFFICER
Gulf Squadron, Pensacola.

[Indorsement by Captain Adams.]

JUNE 10, 1861.

At the time the Perthshire was boarded from this ship and ordered off from Pensacola there was no blockade of Mobile or the Mississippi river.

H. A. ADAMS,
Captain U. S. Frigate "Sabine."

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 24, 1861.

MY LORD: Your letter of the 11th of October last, presenting the claim of Mr. William Gray, owner of the British ship "Perthshire," for damages incurred by the detention of that vessel by the blockading squadron of the United States, was referred by me to the Secretary of the Navy for information upon the subject.

I have now received the answer of the Secretary of the Navy thereupon, which fails to show me that the detention of the Perthshire by Commander Smith, commanding the United States steamer Massachusetts, was warranted by law or by the President's proclamation instituting the blockade, although I am satisfied that that officer acted under a misapprehension of his duties, and not from any improper motive. It will belong to Congress to appropriate the sum of two hundred pounds, claimed by Gray, which sum seems to me not an unreasonable one. The President will ask Congress for that appropriation as soon as they shall meet, and he will direct that such instructions shall be given to Commander Smith as will caution him against a repetition of the errors of which you have complained.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, &c., &c., &c.



AUSTRIA.

Mr. Seward to Mr. Burlingame.

[Extracts.]

No. 2.]

DEPARTMENT OF STATE,
Washington, April 13, 1861.

SIR: It seems to me that our mission to Austria has not been made as useful hitherto as it ought to have been. I think, indeed, that it has generally been undervalued. The causes for this are manifest. We are a commercial people, and of course cultivate acquaintance first and chiefly, with other commercial nations. Situated on a long Atlantic coast, and confronting on the opposite shore the commercial countries from whence our population was first and principally derived, we have naturally fallen into relations with them of the most intimate kind. Austria is distant, and it has never been a maritime nation.

To go no further in the review of its history than 1815, the Austrian government has been that one of the great European powers which has maintained more studiously, firmly, and persistently than any other, the principles of unlimited monarchy, so opposite in their character to the principles upon which our own government has been established.

Again, Austria is not a unique country with a homogeneous people. It is a combination of kingdoms, duchies, provinces, and countries, added to each other by force, and subjected to an imperial head, but remaining at the same time diverse, distinct, and discordant. The empire is therefore largely destitute of that element of nationality which is essential to the establishment of free intercourse with remote foreign States. This absence of nationality is observable in the Austrian emigration to the United States. We meet everywhere here, in town and country, Italians, Hungarians, Poles, Magyars, Jews, and Germans, who have come to us from that empire, but no one has ever seen a confessed Austrain among us. So when a traveller visits Austria he passes through distinctly marked countries, whose people call themselves by many different names, but none of them indicative of their relation to the empire.

Our representatives at Vienna seem generally to have come, after a short residence there, to the conclusion that there was nothing for them to do and little for them to learn. * * * *

The President expects that you will be diligent in obtaining not only information about political events, but also commercial and even scientific facts, and in reporting them to this department. Austria is an interesting field for improvement of that kind. Although Lombardy, with other Italian provinces, has recently been lost, yet the empire still has a population little inferior in number to our own; and though there are some nations whose people are more mercurial, there is no one in the whole world whose inhabitants are more industrious, frugal, cheerful, and comfortable; none in which agriculture derives more wealth from hard soils and ungenial skies; none where science, art, and taste mingle so perfectly with public and private economy. An undue portion of the country is mountainous. It has never-

theless a richness and variety of mineral and vegetable wealth unequalled in any other part of Europe. Many of its productions could, if introduced more freely, find a ready consumption here, while, on the other hand, we could supply Austria with materials and provisions which are now at greater cost received by her from other countries. Many of the Austrian productions and fabrics which we do receive come to us through the hands of merchants in other European States.

The insignificance of our commerce with Austria results in a large degree from her policy of taxing exports as well as imports, and from monopolies, by which she labors to create a national system of navigation. The subject is one of great interest, and you can render an important service probably to both countries by applying yourself to an examination of it with a view to the negotiation of a more liberal treaty than the one now in force.

Just now a pressure upon this department, incidental to the beginning of a new administration, renders it impossible for me to descend into the details which must be considered in this connexion. It is, however, a purpose of the President that the subject shall be thoroughly investigated, and you will in due time be fully instructed. In the meanwhile you are authorized to communicate his disposition in this respect to the government of his Imperial Royal Majesty, and to ascertain, if possible, whether it would be willing to enter into a revision of the commercial arrangements now existing between the two nations.

The President is well aware that the government of Austria is naturally pre-occupied with political questions of great moment. It must be confessed, also, that painful events occurring among ourselves have a tendency to withdraw our thoughts from commercial subjects. But it is not to be doubted, in the first place, that political embarrassments would in both countries be essentially relieved by any improvement of their commerce which could be made; and, secondly, that the greater those embarrassments are the more merit there will be in surmounting them so far as may be necessary to effect that improvement. It certainly is not the intention of the President that the progress in material and social improvement which this country has been making through so many years shall be arrested or hindered unnecessarily by the peculiar political trials to which it seems likely to be subjected during the term for which he has been called to conduct the administration of its affairs.

There is a peculiar fitness in efforts at this time to enlarge our trade in the Mediterranean, for it is never wise to neglect advantages which can be secured with small expense, and near at home, while prosecuting at great cost, as we are doing, great enterprises in remoter parts of the world. I would not overlook Italy, Germany, and Hungary, while reaching forth for the trade of China and Japan.

I shall allude to political affairs in Austria only so far as is necessary to enable me to indicate the policy which the President will pursue in regard to them. They present to us the aspect of an ancient and very influential power, oppressed with fiscal embarrassments, the legacy of long and exhausting wars, putting forth at one and the same time efforts for material improvement, and still mightier ones to protect its imperfectly combined dominion from dismemberment and disintegration, seriously menaced from without, aided by strong and intense popular passions within. With these questions the government of the United States has and can have no concern. In the intercourse of nations each must be assumed by every other to choose and will what it maintains, tolerates, or allows. Any other than a course of neutrality would tend to keep human society continually embroiled in wars, and render national independence everywhere practically impossible.

No institutions which can be established in a country through foreign intervention can give to it security or other advantages equal to those which are afforded by the system it establishes or permits for itself; while every nation must be regarded as a moral person, and so amenable to the public opinion of mankind, that opinion can carry its decrees into effect only by peaceful means and influences. These principles, hitherto practiced by the United States with great impartiality, furnish rules for the conduct of their representatives abroad, and especially for your own in the critical condition of political affairs in the country to which you are accredited.

This intimation is given so distinctly because an observance of it is peculiarly important in the present condition of our domestic affairs. We are just entering on a fearful trial, hitherto not only unknown, but even deemed impossible by all who have not been supposed to regard the career of our country, even under auspicious indications, with morbid distrust.

Ambitious and discontented partisans have raised the standard of insurrection and organized in form a revolutionary government. Their agents have gone abroad to seek, under the name of recognition, aid and assistance. In this case imprudence on our part in our intercourse with foreign nations might prove injurious, possibly dangerous, retaliation.

The President does not by any means apprehend that the imperial royal government at Vienna will be inclined to listen to those overtures. The habitual forbearance of his Majesty, the friendship which happily has always existed between the two countries, and the prudence which the government of the former has so long practiced in regard to political affairs on this continent, forbid any such apprehension.

Should our confidence in this respect, however, prove to be erroneous, the remarks which I shall have occasion to make with a different view in this paper will furnish you with the grounds on which to stand while resisting and opposing any such application of the so-called Confederate States of America.

Vienna, as you are very well aware, is a political centre in continental Europe. You may expect to meet agents of disunion there seeking to mould public opinion for effect elsewhere.

I will not detain you with a history of that reckless movement, or with details of the President's policy in regard to it. Your experience as a prominent member of Congress has already furnished the former. The inaugural address of the President, with despatches to your predecessor, will be found in the archives of the legation, and will supply the latter.

Certainly I shall not need to anticipate and controvert any complaints of injustice, oppression, or wrong, which those agents may prefer against their country before foreign tribunals. Practically, the discontented party itself administered this government from the earliest day when sedition began its incubation until the insurgents had risen and organized their new provisional and revolutionary government. Never, in the history of the human race, has revolution been so altogether without cause, or met with forbearance, patience, and gentleness so long.

Nor shall I notice particularly the apprehensions of future injustice and oppression which, in the absence of real cause, are put forth as grounds for the insurrection. The revolutionists will find it very hard to make any European sovereign, or even any European subject, understand what better or further guarantee they could have of all their rights of person and property than those which are written in the Constitution of the United States, and which have never been by the government of the United States broken or violated either in letter or in spirit. They will find it quite as difficult to make either a European sovereign or subject understand how they can rea-

sonably expect to improve their political security by organizing a new government under a constitution containing substantially the same provisions as the one they seek to overthrow.

There is reason to apprehend that the form of argument which the agents alluded to will chiefly employ will be an assumption that the independence and sovereignty of the new and irregular authority they represent is already *de facto* established.

If this were true, still you could reply that no public interest of other States, nor even any such interest of the new confederacy itself could suffer by a delay allowing sufficient time for the government of the United States, fully consulting the people, to acknowledge in the first instance the independence so claimed to have been established. The United States have a right to require such delay from all friendly powers, and a refusal of it would be an act offensive to their dignity and manifestly hostile. There is not the least ground to assume that the government of the United States would act otherwise than wisely, discreetly, and humanely, when it should come to act in such a case. Individual caprice finds no place in a government so entirely popular as ours, and partisan excitement sinks in great national emergencies here before the calm considerate judgment of the American people pronouncing upon considerations exclusively of their own security, freedom, and happiness. They would, indeed, regard the effectual dismemberment of the Union as fatal to the highest hopes which humanity has ever, with apparent reason, indulged. But they are not visionary nor impracticable, and they will not lack even the magnanimity to accept the fact of their ruin, and govern themselves in conformity with it, before other nations fraternally disposed need to intervene to reconcile them, or, if unfriendly, to profit by that last calamity.

At all events foreign governments may be expected to consult their own interests and welfare in regard to the subject in question, even though indifferent to the rights and interests of the United States. A premature declaration of recognition by any foreign State would be direct intervention, and the State which should lend it must be prepared to assume the relations of an ally of the projected confederacy and employ force to render the recognition effectual.

But, in point of fact, the assumption that the new confederacy has established its sovereignty and independence is altogether unfounded. It was projected, or favored, by the late administration during the four months that it remained in power after the election, which constituted practically an interregnum. The new administration, now only forty days old, has practiced forbearance and conciliation, relying hitherto, as it will hereafter rely, on the virtue and patriotism of the people to rescue the country and the Union from danger by peaceful and constitutional means, and content to maintain the authority and defend the positions which came into its hands on the fourth of March last, without employing coercion, so unnatural, and, as it has hitherto believed and still believes, so unnecessary, for the national security, integrity, and welfare. The so-called confederacy has yet to secure its sovereignty either by war or by peace. If it shall, as now seems probable, have determined on war, it has only just thrown down the challenge. It must not assume that a nation so sound, so vigorous, and so strong as this, although it may forbear long, will not accept such a challenge when there is no alternative.

The government of the so-called Confederate States have still greater perils to incur if they are to establish their separation by the acts and processes proper for peace. They will have at some time to refer themselves and all their action to an intelligent people, who will then have had time to reflect and to inquire what all this revolution is for, and what good it

can produce. They will have to satisfy that people and mankind that a republican government can be stable and permanent which is built on the principle that a minority, when defeated in the popular elections, may appeal to arms, and that a confederacy can be relied upon by creditors or nations that admits the right of each of its members to withdraw from it and cast off its obligations at pleasure.

I have treated the subject as if it were a question of war or of peace in the election of the insurrectionists. But, in truth, both the justice and the wisdom of the war must in the end be settled, as all questions which concern the American people must be determined, not by arms, but by suffrage. When, at last, the ballot is to be employed after the sword, then, in addition to the pregnant questions I have indicated, two further ones will arise requiring to be answered, namely, which party began the conflict, and which maintained in that conflict the cause of freedom and humanity.

The agents of the projected confederacy have hitherto affected to undervalue the power which the Union can exercise for self-preservation, and they may attempt to mislead foreign States on this subject. It is true that the government was powerless to resist them so long as it was practically in their own hands and managed to favor their designs. Its executive department was panic-stricken, its legislature divided and distracted, its army demoralized and betrayed, its fortifications virtually surrendered, its navy dispersed, and its credit prostrated. Even the people themselves were bewildered by the sudden appearance of such unlooked-for and appalling dangers. All this demoralization is passing away as rapidly as it came on; and it will soon appear in this, as in all other cases, that the greatest vigor is found combined with the greatest power of elasticity. It will be deeply to be regretted if the energy of this great government is to have its first serious trial in a civil war, instead of one against a foreign foe. But if that trial cannot be averted, it will be seen that resources prudently left unembarrassed are more available than credit in foreign markets; that the loyalty of a brave and free people is more reliable than standing armies; that a good cause is worth more than allies, and self-defence is an attribute stronger than fortresses. Its assailants will have to defend themselves before an enlightened people, and even before other nations, at least so far as to show one State that the federal Union has actually oppressed or menaced, or one citizen who fared the worse for having lived under its authority.

The agents of the new confederacy it is supposed will offer more favorable conditions to foreign commerce than the United States have thought it wise to afford. Such offers may be met with a few direct propositions. The sagacity of the federal government is not likely to be found long at fault in giving such advantages to the insurrectionists. In the second place, how is a revolution to be carried on without taxes? Are the so-called seceding States abler than their sister States to endure direct taxation, or will faction reconcile men to burdens that patriotism finds intolerable? It will be well for the so-called confederacy if, instead of making good the promises in this respect made in its name, it do not find itself obliged to levy duties as large as those of the federal government on imports, and to add to its revenue system, what that government never has done, the ruinous feature of taxation upon exports. It is easily seen how little such a financial policy will commend the new government to the favor of European politicians and capitalists.

But I must draw these instructions to a close. You will on all occasions represent that the interests of Europe and of mankind demand peace, and especially peace on this continent. The Union is the only guarantee of peace. Intervention would be war, and disunion would be only endless war.

The Union is, moreover, the chief security for the stability of nations. When this experiment of self-government shall have failed for want of wisdom and virtue enough, either at home or abroad, to preserve it or permit it to exist, the people of other countries may well despair and lose the patience they have practiced so long under different systems in the expectation that the influence it was slowly exercising would ultimately bring them to the enjoyment of the rights of self-government. When that patience disappears, anarchy must come upon the earth.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., &c., &c., &c.

Mr. Jones to Mr. Seward.

[Extract.]

No. 20.]

LEGATION OF THE UNITED STATES,
Vienna, April 15, 1861.

SIR: I have the honor to acknowledge the receipt of your circular, dated the 9th of March, 1861.

I presented the copy of the inaugural address of the President to Count Rechberg on the 8th day of April, and at the same time verbally communicated, in accordance with the instructions contained in said despatch, the views and opinions of my government on the present disturbed condition of its domestic affairs, and the aspect in which it wished them to be regarded by the government of Austria.

He replied that Austria hoped to see us re-united. That she was not inclined to recognize *de facto* governments anywhere; her opinions had been made, however, and her minister and consuls in America instructed fully on the subject; that no application had yet been made to Austria for recognition as an independent sovereignty, by any portion of the confederacy of the United States, and he was of opinion that, as the views of Austria would soon be known on the subject, no such application would be made. Should it be otherwise, however, he would notify this legation and the subject could be resumed.

* * * * *

Very respectfully, your obedient servant,

J. GLANCY JONES.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Jones to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,
Vienna, July 20, 1861.

SIR: A few days since Count Rechberg, the imperial royal minister of foreign affairs, was interrogated in the house of deputies of the Austrian empire on the subject of the course pursued, or about to be pursued, by the imperial royal government in relation to American affairs in the present complication. The report of his remarks is as follows:

Count Rechberg rose to answer the question, "What measures has the government taken to protect its commercial relations with the United States of North America, under the warlike condition of things now existing there," put by Mr. Putzer and his associates. He said: "The minister of foreign affairs has, in connexion with the ministers of trade and the navy, caused information to be obtained through the imperial minister resident at Washington as to the measures which other governments have taken for the same reason. The answer received was, that England and France, as well as Holland, had strengthened their squadrons in the American waters, and had endeavored to bring the belligerent powers to the recognition of those principles, especially relating to the protection of private property, which were agreed upon at the congress of Paris in 1856. The imperial government has, for the present, abstained from sending ships-of-war, and has directed the minister resident to obtain from the belligerent powers the recognition of the following points established by the said congress:

"1. The neutral flag covers enemy's goods, with the exception of contraband of war.

"2. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

"3. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

"The government hopes, on account of the friendly relations which have existed between it and the American States for years, to obtain the recognition of these three points on the part of the belligerents."

In an interview with Count Rechberg a day or two ago, he expressed to me a hope that the answer might be deemed satisfactory to my government, as it was his wish to make it so. I replied that, so far as I was advised, no exception could be taken to his language, but that I should transmit to my government both the question and answer, and if they had anything to say they would make it known to him through their minister here. He repeated his strong desire to see the integrity of the Union preserved in America, and said Austria was anxious to cultivate the most friendly relations with us, and would be the last to aid or abet any movement looking to the disruption of our confederacy, or weakening its power.

Very respectfully, your obedient servant,

J. GLANCY JONES.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Hülsemann to Mr. Seward.

AUSTRIAN LEGATION,
Washington, August 7, 1861.

The undersigned, in pursuance of the understanding come to this morning, has the honor to transmit to the honorable Secretary of State a copy of the instructions received from Count Rechberg concerning the maritime rights of neutrals in time of war; and he takes this opportunity to renew his offer of high consideration to the honorable Secretary of State

HULSEMANN

HON. WILLIAM H. SEWARD,
Secretary of State of the United States.

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Mr. Hülsemann to Mr. Seward.

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HULSEMANN

HON. WILLIAM H. SEWARD,
Secretary of State of the United States.

Baron Rechberg to Mr. Hülsemann.

[Translation.]

No. 6993.—H.]

VIENNA, July 1, 1861.

SIR: With deep regret we continue to follow events in the United States which, shaking the foundations of the Union, have effectively taken the character of an active warfare between powers; whence it has ensued that friendly nations, for the protection of their own commerce and navigation, are placed reluctantly in such position that they must reclaim their rights as neutrals.

You already know by my despatch of 14th June of last year what principles of international law bearing upon the questions of maritime rights in time of war we relied upon as between us and the government of the Union, whether under the provisions of old treaties, or under more recent arrangements; inasmuch as we have given our adhesion to the Paris declaration of maritime rights in 1856, as tending to improve the heretofore ill-advised mode of dealing with the political fluctuations that lie before us.

Albeit the government of the Union did not explicitly and at once accept, upon the first invitation, the declaration of the European powers, yet we still entertain an earnest expectation that such subsequent express assent may be given, as the abrogation of all hindrance to the security of private property on the seas was established on the broadest grounds.

By a proposal which, unfortunately, was not accepted on the other side, we, however, as you know, were always ready and willing to sustain the principle.

We await, however, in friendly expectation, at least, the express recognition of the second, third, and fourth principles of the Paris declaration on the part of the United States quite distinctly from that, because the government of the Union, on different occasions, has not only plainly expressed these principles in manner more or less forcible, but has upon its own motion set them forth and explicitly maintained them.

We therefore rest securely in the belief that we may soon receive a satisfactory communication upon this subject, and that under the high authority of the President, administering the relations of his government, the above mentioned three principles will be authentically asserted by the United States. But you also have it in express charge to invite the earnest attention of the Secretary of State to the matter, and to take the same steps as we see reason to adopt with the other European powers in what may be regarded as definitively settled.

You will, I hope, carry this important question through to a favorable close, and I present you the assurances of my cordial sympathies.

RECHBERG.

His Excellency the Chevalier HULSEMANN, &c., &c., &c, Washington.

Mr. Seward to Mr. Hülsemann.

DEPARTMENT OF STATE,
Washington, August 22, 1861.

The undersigned, the Secretary of State of the United States, has the honor to acknowledge the receipt of a communication from Mr. Hülsemann,

minister resident of his imperial royal Majesty the Emperor of Austria, bearing date 7th August, instant. Mr. Hülsemann's letter is accompanied by an instruction sent to him by Count Rechberg, the Austrian minister for foreign affairs, calling for information on the subject of the views of this government concerning the rights of neutrals in maritime war. Count Rechberg expresses a hope that the government of the United States will give assurances that it adopts and will apply the 2d, 3d, and 4th principles of the declaration of Paris, viz:

2. The neutral flag covers enemy's goods, with the exception of contraband of war.

3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The undersigned has great pleasure in assuring Mr. Hülsemann that this government does adopt, and that it will apply the principles thus recited and set forth, and that its liberal views in this respect have not only been long held, but they would have been formally communicated to the Austrian government several months ago but for the delay which has unavoidably occurred in the arrival of a newly appointed minister plenipotentiary at Vienna.

Of course the principles referred to are understood by the United States as not compromising their right to close any of their own ports for the purpose of suppressing the existing insurrection in certain of the States, either directly or in the more lenient and equitable form of blockade which has already for some time been established.

Mr. Motley, who proceeds immediately to Vienna as envoy extraordinary and minister plenipotentiary of the United States, will be directly advised of this communication, while he will be charged with more ample instructions on the general subject involved.

The undersigned avails himself of this occasion to tender assurances of the good will of this government towards the government of Austria, and of his distinguished consideration for Mr. Hülsemann personally.

WILLIAM H. SEWARD.

The Chevalier HULSEMANN, &c., &c., &c.

Mr. Seward to Mr. Jones.

No. 14.]

DEPARTMENT OF STATE,
Washington, August 12, 1861.

SIR: Your despatch of the 20th of July, No. 22, has just been received.

Owing to the change of Mr. Burlingame's destination, the instructions he conveyed have failed to reach your legation. A new appointment has just now been made in the person of Mr. Motley, who will, without much delay, proceed to relieve you of the mission which you have conducted so satisfactorily during the period of my connexion with this department.

Mr. Motley will have full powers to treat with the government of Austria on all the matters discussed by Count Rechberg in the speech to which, by his direction, you have called my attention, and I am sure that they will be disposed of to the entire satisfaction of Austria, as well as for the common advantage of both countries.

In the meantime, however, you are authorized to say to Count Rechberg that the United States² adhere now, as heretofore, to the three principles enunciated by him in that speech, namely:

1. The neutral flag covers enemy's goods, with the exception of contraband of war.

2. Neutral goods, not contraband of war, are not liable to confiscation under enemy's flag.

3. Blockades, in order to be binding, must be effective.

Of course these principles are understood by us as not compromising our right to close any of our own ports for the purpose of suppressing the existing insurrection, either directly or in the more lenient and equitable form of blockade which we have already some time since established.

You will not fail to assure the imperial royal government that the President had received with great satisfaction the assurances of the just purposes and good will of Austria towards the United States, communicated by Count Rechberg to yourself, and repeated by Mr. Hülsemann, the minister of Austria residing at this capital.

It shall be our purpose to cultivate the best understanding with all nations which respect our rights as Austria does.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

J. GLANCY JONES, Esq., &c., &c., &c.

Mr. Seward to Mr. Molley.

No. 2.]

DEPARTMENT OF STATE,
Washington, August 27, 1861.

SIR: The despatch of your predecessor, Mr. Jones, No. 23, dated August 6, has been received and read with much interest. It relates, however, exclusively to the affairs of Austria, and does not seem to require any special remark from me at the present moment, when the attention of this department is so largely engrossed by the concerns of our own country at home as well as in foreign countries.

Should Mr. Jones be still remaining at Vienna when this communication arrives, you will express to him the entire satisfaction with which his conduct of the legation since it has fallen under the review of the present administration is regarded by the government of the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., Vienna.

Mr. Seward to Mr. Molley.

No. 4.]

DEPARTMENT OF STATE,
Washington, September 20, 1861.

SIR: The despatch, No. 24, of your predecessor, Mr. Jones, under date of August, has been received. I send you a copy of my latest instructions to Mr. Adams and Mr. Dayton on the subject of the proposed accession to the declaration of the congress at Paris. You will learn from these papers that the negotiations for that object with the governments of Great Britain and

France have been arrested, as well as the manner of suspension, and the reasons for it. You will already have discovered for yourself that this suspension of the negotiation with those two powers must operate, to a certain extent, upon the dispositions in the same respect of other European States, although it does not at all modify the views of this government. So far as such other European powers are concerned, all that remains to be said is, that acting in good faith we will cheerfully enter into convention with any State that may desire to receive our accession at this time, and that we shall not, at present, urge our proposition on those States which, for any reason of their own, may propose to await a more convenient season.

You will inform Count Rechberg that the friendly sentiments of this government towards Austria remain unchanged.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., &c., &c., *Vienna*.



FRANCE.

Mr. Seward to Mr. Dayton.

No. 3.]

DEPARTMENT OF STATE,
Washington, April 22, 1861.

SIR: You enter a very important foreign mission at a moment when our domestic affairs have reached a crisis which awakens deep solicitude. Throughout a period of eighty years law and order have prevailed, and internal peace and tranquillity have been undisturbed. Five months ago sedition showed itself openly in several of the southern States, and it has acted ever since that time with boldness, skill, and energy. An insurrectionary government, embracing seven members of this Union, has been proclaimed under the name of the Confederate States of America. That pretended authority, by means chiefly of surprise, easily seen here to have been unavoidable, although liable to be misunderstood abroad, has possessed itself of a navy yard, several fortifications and arsenals, and considerable quantities of arms, ordnance, and military stores. On the 12th of April, instant, its forces commenced an attack upon, and ultimately carried, Fort Sumter, against the brave and heroic resistance of a diminutive garrison, which had been, through the neglect of the former administration, left in a condition to prevent supplies and re-enforcements.

Owing to the very peculiar construction of our system, the late administration, Congress, and every other department of the federal government, including the army and the navy, contained agents, abettors, and sympathizers in this insurrection. The federal authorities thus became inefficient, while large portions of the people were bewildered by the suddenness of the appearance of disunion, by apprehension that needless resistance might aggravate and precipitate the movement, and by political affinities with those engaged in it.

The project of dismembering the Union doubtless has some support in commercial and political ambition. But it is chiefly based upon a local, though widely extended partisan disappointment in the result of the recent election of President of the United States. It acquired strength for a time from its assumed character of legitimate opposition to a successful party, while, on the other hand, that party could not all at once accept the fact that an administrative political issue had given place to one which involved the very existence of the government and of the Union. These embarrassments are passing away so rapidly as to indicate that far the greater mass of the people remain loyal as heretofore. The President improved the temporary misfortune of the fall of Fort Sumter by calling on the militia of the States to re-enforce the federal army, and summoning Congress for its counsel and aid in the emergency. On the other hand, the insurrectionists have met those measures with an invitation to privateers from all lands to come forth and commit depredations on the commerce of the country.

To take care that the government of his Majesty the Emperor of France do not misunderstand our position, and through that misunderstanding do

us some possible wrong, is the chief duty which you will have to perform at Paris.

It would have been gratifying to the President if the movements to which I have alluded had taken such a course as to leave this government free from the necessity in any event of conferring upon them in the presence of foreign powers. In this age of social development, however, isolation even in misfortune is impossible, and every attempt at revolution in one country becomes a subject of discussion in every other. The agitators in this case have, perhaps, not unnaturally carried their bad cause before foreign states by an appeal for recognition of the independence they have proclaimed, and which they are committed to establish by arms. Prudence requires that we oppose that appeal. The President believes that you will be able to do this in such a manner as will at once comport with the high consideration for his Imperial Majesty which this government habitually entertains, and a due sense of the dignity and honor of the American people.

The Emperor of France has given abundant proofs that he considers the people in every country the rightful source of all authority, and that its only legitimate objects are their safety, freedom, and welfare. He is versed in our Constitution, and, therefore, he will not need demonstration that the system which is established by the Constitution is founded strictly on those very principles. You will be at no loss to show also that it is perfectly adapted to the physical condition and the temper, spirit, and habits of the American people. In all its essential features it is the same system which was first built, and has since existed with ever renewed popular consent in this part of America. The people of this country have always enjoyed the personal rights guaranteed by the great statutes of British freedom, representation concurrent with taxation, jury trial, liberty of conscience, equality before the laws, and popular suffrage. The element of federation or union was early developed while the colonies were under the authority of, and during their revolutionary contest with, the British Crown, and was perfected afterwards by the establishment of the Constitution of the United States. Practically it has been voluntarily accepted by every State, Territory, and individual citizen of the United States. The working of the system has been completely successful, while not one square mile of domain that we at any time had occupied has ever been lost to us. We have extended our jurisdiction from the St. Mary's river to the Rio Grande, on the Gulf of Mexico, and in a wide belt from the Mississippi to the Pacific ocean. Our population has swollen from four millions to thirty-one millions. The number of our States has increased from thirteen to thirty-four. Our country has risen from insignificance to be the second in the world. Leaving out of view unimportant local instances of conflict, we have had only two foreign wars, and the aggregate duration of them was less than five years. Not one human life has hitherto been forfeited for disloyalty to the government, nor has martial law ever been established except temporarily in case of invasion. No other people have ever enjoyed so much immunity from the various forms of political casualties and calamities.

While there is not now, even in the midst of the gathering excitement of civil war, one American who declares his dissent from the principles of the Constitution, that great charter of federal authority has won the approbation of the civilized world. Many nations have taken it as a model, and almost every other one has in some degree conformed its institutions to the principles of this Constitution. The empire of France, and the new kingdom of Italy especially, are built on the same broad foundation with that of this federal republic, namely, universal suffrage.

Surely we cannot err in assuming that a system of government which arose out of the free consent of the people of this country, which has been

often reconsidered and yet continually upheld in preference to every other throughout a period of two hundred years, which has commanded the acceptance or the approval of all other nations, and to the principles of which even those who attempt to overthrow it adhere in the very heat of insurrection, must be regarded as one which is not only well adapted to the condition and character of the American people, but is even indispensable and inseparable from their national existence.

Should it be answered that while all this has heretofore seemed true, yet that it is now disproved by the existing insurrection, you may truthfully reply that we must wait for that refutation until we see the end of the insurrection; that the insurrection proves in fact nothing else except that eighty years of peace is as much as human nature has the moderation to endure under circumstances the most conducive to moderation.

The attempted revolution is simply causeless. It is, indeed, equally without a reason and without an object. Confessedly there is neither reason nor object, unless it be one arising out of the subject of slavery. The practice of slavery has been so long a theme of angry political debate, while it has all the time been, as it yet is, a domestic concern, that I approach it with deep regret in a communication which relates to the action of a representative of this government abroad. I refrain from any observation whatever concerning the morality or the immorality, the economy or the waste, the social or the unsocial aspects of slavery, and confine myself, by direction of the President, strictly to the point that the attempt at revolution on account of it is, as I have already said, without reason and without object. Slavery of persons of African derivation existed practically within all the European colonies which, as States, now constitute the United States of America. The framers of our government accepted that fact, and with it the ideas concerning it which were then gaining ground throughout the civilized world. They expected and desired that it should ultimately cease, and with that view authorized Congress to prohibit the foreign slave trade after 1808. They did not expect that the practice of African slavery should be abruptly terminated to the prejudice of the peace and the economy of the country. They therefore placed the entire control of slavery, as it was then existing, beyond the control of the federal authorities, by leaving it to remain subject to the exclusive management and disposition of the several States themselves, and fortified it there with a provision for the return of fugitives from labor and service, and another securing an allowance of three-fifths of such persons in fixing the basis of direct taxation and representation. The legislators of that day took notice of the existence of a vast and nearly unoccupied region lying between the western borders of the Atlantic States and the Mississippi river. A few slaves were found in the southwest, and none in the northwest. They left the matter in the southwest to the discretion of the new States to be formed there, and prohibited the practice of slavery in the northwestern region forever.

Economical, moral, and political causes have subsequently modified the sentiments of that age differently in the two sections. Long ago slavery was prohibited by all the northern States, and, on the contrary, the increased production of cotton has resulted in fortifying the institution of slavery in the southern States. The accretions of domain, by purchase from Spain, France, and Mexico, brought regions in which slavery had either a very slight foothold, or none at all; and this new domain, as it should come under occupation, was to be constituted into new States, which must be either free States or slave States. The original States divided according to their own divers practices—the free States seeking so to direct federal legislation and action as to result in multiplying free States, and the slave States so to direct them as to multiply slave States. The interest became more

intense because the several States have equal representation in the Senate of the United States. This controversy soon disclosed itself in the popular elections, and more distinctly than ever before in the recent canvass, which resulted in the accession of the present administration.

It is now to be observed that, from the earliest agitation of the subject until that last election, the decisions of the people were practically favorable to the interest of the class which favored the extension of slavery, and yet their opponents always acquiesced. Under these circumstances the executive administration, the national legislature, and the judiciary, were for practical purposes in the hands of that party, and the laws, with the administration and execution of them, conformed to their own policy. The opposite class prevailed in the late election so far as to bring in the President and Vice-President, the citizens they had preferred, but no further—Congress and the judiciary remained under the same bias as before. The new President could not assume his trust until the fourth of March, 1861, and even after that time, as before, the laws and the execution of them must remain unchanged. He could not, without consent of his opponents in Congress, change either, nor appoint a minister or a ministerial officer, nor draw a dollar from the treasury even for his own defence or support. It was under these circumstances that, on the very day when the election closed and its result became known, four months before the new administration was to come in, the disappointed party took their appeal from the ballot-box to arms, and inaugurated their revolution.

I need not further elaborate the proposition that the revolution is without a cause ; it has not even a pretext.

It is just as clear that it is without an object. Moral and physical causes have determined inflexibly the character of each one of the Territories over which the dispute has arisen, and both parties after the election harmoniously agreed on all the federal laws required for their organization. The Territories will remain in all respects the same, whether the revolution shall succeed or shall fail. The condition of slavery in the several States will remain just the same whether it succeed or fail. There is not even a pretext for the complaint that the disaffected States are to be conquered by the United States if the revolution fail ; for the rights of the States, and the condition of every human being in them, will remain subject to exactly the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail. In the one case, the States would be federally connected with the new confederacy ; in the other, they would, as now, be members of the United States ; but their constitutions and laws, customs, habits, and institutions in either case will remain the same.

It is hardly necessary to add to this incontestible statement the further fact that the new President, as well as the citizens through whose suffrages he has come into the administration, has always repudiated all designs whatever and wherever imputed to him and them of disturbing the system of slavery as it is existing under the Constitution and laws. The case, however, would not be fully presented if I were to omit to say that any such effort on his part would be unconstitutional, and all his actions in that direction would be prevented by the judicial authority, even though they were assented to by Congress and the people.

This revolution, thus equally destitute of just cause and legitimate object, aims, nevertheless, at the dismemberment of the federal Union, and, if successful, must end in the overthrow of the government of the United States. If it be true, as the consent of mankind authorizes us to assume, that the establishment of this government was the most auspicious political event that has happened in the whole progress of history, its fall must be deemed not merely a national calamity, which a patriotic government ought to try

to prevent, but a misfortune to the human race, which should secure for us at least the forbearance of all other nations.

It cannot be maintained that disunion would leave it still existing in its true character, and for its proper ends, although in two not very unequal and similar parts. Its integrity as a federal government, embracing all of the American independent, contiguous, and homogeneous States, protecting them all against foreign dangers and internal commotions; securing to them all a common property, greatness, dignity, influence and happiness, is an indispensable feature of its constitution.

Dismemberment would be less effectually subversive of the character, objects, and purposes of the Union, if the two confederacies, which it is proposed shall succeed it, could severally be expected to exercise its great functions within their respective dominions. But this would be impossible. The several States are now held in union with each other by a confessed obligation of cohesion that only their common consent could dissolve, and that moral law, hitherto acknowledged by all, is substituted for the central military authority which, in other systems, secures the integrity as well as the peace and harmony of States. But if the revolution shall prevail and dismemberment ensue, the federal obligation in that case will be broken, its moral force spent, and in its place there must come up the principles which are the acknowledged elements of the revolution, namely, first, that in either confederacy each State is at liberty to secede at pleasure; and secondly, the minority in each confederacy, and even in each State, may, whenever the will of the majority is ascertained, take an appeal from the ballot to the sword. It is manifest that the success of this revolution would therefore be not only a practical overthrow of the entire system of government, but the first stage by each confederacy in the road to anarchy, such as so widely prevails in Spanish America. The contest, then, involves nothing less than a failure of the hope to devise a stable system of government upon the principle of the consent of the people, and working through the peaceful expressions of their will without depending on military authority. If the President were addressing his countrymen at home on this occasion, instead of one of their representatives going abroad, he would direct me to set forth the consequences which obviously must follow the dissolution of the American Union. The loss of the ambition, which is a needful inspiration to a great people; the loss of the respect of mankind, and the veneration and respect of posterity; the loss of the enterprise and vigor which makes us a prosperous nation; and with the loss of sustained and constant culture, which makes us an intellectual people, the loss of safety, both at home and abroad, which directly involves the greatest calamity of all, the loss of liberty. It is sufficient only to allude to these possible evils on this occasion to afford you the grounds for assuring the government of France that the President regards the revolution as one which in every event must and will be prevented, since it is manifest that the evils which would result from its success would be as incurable as they would be intolerable.

It is, indeed, an occasion of much regret that it has been found needful to employ force for this purpose. It is contrary to the genius and the habits of the people, as it is repugnant to the sentiments of the government of the country and of mankind. But the President believes that the country will accept that alternative with the less regret because sufficient time has been allowed to try every expedient of conciliatory prevention, and civil war is at last proved to be unavoidable. The responsibility of it must rest with those who have not only inaugurated it, but have done so without cause and without provocation. The world will see that it is an evil that comes upon us not from any necessity growing out of administration or out of our Constitution itself, but from a necessity growing out of our common nature.

It must not, however, be inferred that the reluctance of the government to employ force so long has demoralized the administration or can demoralize the American people. They are capable of a high, resolute, and vigorous defence of the Union, and they will maintain that defence with only the more firmness and fidelity, because they are animated by no hostile spirit, but, on the contrary, by a friendly and even fraternal one, being satisfied that its benefits will result equally to those who are engaged in overthrowing and those who are engaged in defending the Union.

I have thus, under the President's direction, placed before you a simple, unexaggerated, and dispassionate statement of the origin, nature, and purposes of the contest in which the United States are now involved. I have done so only for the purpose of deducing from it the arguments you will find it necessary to employ in opposing the application of the so-called Confederate States to the government of his Majesty the Emperor for a recognition of its independence and sovereignty.

The President neither expects nor desires any intervention, or even any favor, from the government of France, or any other, in this emergency. Whatever else he may consent to do, he will never invoke nor even admit foreign interference or influence in this or any other controversy in which the government of the United States may be engaged with any portion of the American people. It has been simply his aim to show that the present controversy furnishes no one ground on which a great and friendly power, like France, can justly lend aid or sympathy to the party engaged in insurrection, and therefore he instructs you to insist on the practice of neutrality by the government of the Emperor, as all our representatives are instructed to insist on the neutrality of the several powers to which they are accredited.

Not entertaining the least apprehension of the departure from that course by his Majesty's government, it is not without some reluctance that the President consents to the suggestion of some considerations affecting France herself, which you may urge in support of it. France is an agricultural and manufacturing country. Her industry depends very largely on a consumption of her productions and fabrics within the United States, and on the receipt, in exchange, of cotton, or other staples, or their equivalent in money, from the United States. The ability of the United States to thus consume and furnish depends on their ability to maintain and preserve peace. War here will in any case be less flagrant, and peace, when broken, will be restored all the more quickly and all the more perfectly if foreign nations shall have the sagacity, not to say the magnanimity, to practice the neutrality we demand.

Foreign intervention would oblige us to treat those who should yield it as allies of the insurrectionary party, and to carry on the war against them as enemies. The case would not be relieved, but, on the contrary, would only be aggravated, if several European states should combine in that intervention. The President and the people of the United States deem the Union, which would then be at stake, worth all the cost and all the sacrifices of a contest with the world in arms, if such a contest should prove inevitable.

However other European powers may mistake, his Majesty is the last one of those sovereigns to misapprehend the nature of this controversy. He knows that the revolution of 1775 in this country was a successful contest of the great American idea of free popular government against resisting prejudices and errors. He knows that the conflict awakened the sympathies of mankind, and that ultimately the triumph of that idea has been hailed by all European nations. He knows at what cost European nations resisted for a time the progress of that idea, and perhaps is not unwilling to confess how much France, especially, has profited by it. He will not fail to recognize the presence of that one great idea in the present conflict, nor will he mis-

take the side on which it will be found. It is, in short, the very principle of universal suffrage, with its claim to obedience to its decrees, on which the government of France is built, that is put in issue by the insurrection here, and is in this emergency to be vindicated, and, more effectually than ever, established by the government of the United States.

I forbear from treating of questions arising out of the revenue laws of the United States, which lately have been supposed to have some bearing on the subject. They have already passed away before the proclamation of the blockade of ports in the hands of the revolutionary party. Nor could considerations so merely mercenary and ephemeral in any case enter into the counsels of the Emperor of France.

You will, naturally enough, be asked what is the President's expectation concerning the progress of the contest and the prospect of its termination. It is, of course, impossible to speculate, with any confidence, upon the course of a revolution, and to fix times and seasons for the occurrence of political events affected by the excitement of popular passions; but there are two things which may be assumed as certain: First. That the union of these States is an object of supreme and undying devotion on the part of the American people, and, therefore, it will be vindicated and maintained. Secondly. The American people, notwithstanding any temporary disturbance of their equanimity, are yet a sagacious and practical people, and less experience of evils than any other nation would require will bring them back to their customary and habitual exercise of reason and reflection, and, through that process, to the settlement of the controversy without further devastation and demoralization by needless continuance in a state of civil war.

The President recognizes, to a certain extent, the European idea of the balance of power. If the principle has any foundation at all, the independence and the stability of these United States just in their present form, properties, and character, are essential to the preservation of the balance between the nations of the earth as it now exists. It is not easy to see how France, Great Britain, Russia, or even reviving Spain, could hope to suppress wars of ambition which must inevitably break out if this continent of North America, now, after the exclusion of foreign interests for three-quarters of a century, is again to become a theatre for the ambition and cupidity of European nations.

It stands forth now to the glory of France that she contributed to the emancipation of this continent from the control of European states, an emancipation which has rendered only less benefit to those nations than to America itself. The present enlightened monarch of France is too ambitious, in the generous sense of the word, to signalize his reign by an attempt to reverse that great and magnanimous transaction. He is, moreover, too wise not to understand that the safety and advancement of the United States are guaranteed by the necessities, and, therefore, by the sympathies of mankind.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

HON. WILLIAM L. DAYTON, &c., &c., &c.

Mr. Faulkner to Mr. Black.

No. 111.]

LEGATION OF THE UNITED STATES,
Paris, March 19, 1861.

SIR: I had the honor to-day to receive your despatch, No. 45, touching certain recent political movements in the United States. I had, of course, through the public journals, been made acquainted with the painful facts to



which you refer ; but your communication brings them now, for the first time, officially to my notice.

I need hardly say to you that the events which have signalized the history of the United States for the last few months have occupied the attention of a very large share of the statesmen and people of Europe. In all my intercourse, public and private, from the Emperor to the peasant, embracing all grades of ministerial and diplomatic agents, it has been the engrossing, I might almost say the only topic of conversation. A revolution was as little anticipated in the United States as an earthquake in Paris.

That large communities should be casting off the protection of a government to which thousands on this continent were looking for the realization of all their dreams of happiness on earth ; that a system should be pronounced a failure which has produced, within a few years, the most extraordinary developments of national prosperity and power of which history has left any record ; that a flag should be trampled in the dust which has never been stained by oppression, and which is hailed as the emblem of civil and religious freedom in every corner of the globe, were problems well calculated to rouse the inquisitive and to puzzle the uninformed. The consequence was, that there has been, within the last four months, throughout Europe a more thorough and general discussion, by the press and by individuals, of American institutions than had occurred for the previous twenty years. In general the press of Europe is in able and skilful hands ; and if, in their late discussions, it has occasionally fallen into some egregious blunders, it shows how little familiar the best-informed were with the details of our system when those events arose which have attracted to our condition the gaze of Europe.

You inform me that it is not improbable that persons claiming to represent the States which have attempted to throw off their federal obligations will seek a recognition of their independence by the Emperor of the French ; that you would regard such an act, on the part of the French government, as calculated to encourage the revolutionary movements of the seceding States, and to increase the dangers of disaffection in those which shall remain loyal ; that it would be inconsistent with the friendship which the government of the United States has always heretofore experienced from the government of France ; that it would tend to disturb the friendly relations, diplomatic and commercial, now existing between those two powers, and prove adverse to the interests of France and the United States.

You have not in your despatch informed me what line of policy it is the purpose of the federal government to adopt towards the seceding States, a fact most material in determining my own action, as well as the views to be addressed to a foreign power on the points presented by your instructions. If I correctly construe the intentions of the government, it looks to a pacific solution of the difficulties which now disturb its relations with the seceding States. In other words, it does not propose to resort to the strong arm of military power to coerce those States into submission to the federal authority. If this be a correct view of its proposed action, and all who understand the genius of our institutions and the character of our people must hope that it shall be such, the only difficulty will be in making European governments appreciate the spirit of such wise and conciliatory policy, and comprehend the just application of the principles of international jurisprudence to a state of facts so novel and peculiar.

The fact which seems chiefly to have governed the conduct of nations in establishing diplomatic and commercial relations with States or provinces which have thrown off their allegiance to the general power—I mean, of course, apart from the fact of their ability to maintain international relations with the world—is the practical cessation of all attempts by arms to enforce

obedience to the authority asserted. This rule is founded upon the idea that force, successfully exerted or resisted, is the only criterion by which the respective claims to sovereignty of the contending parties can be adjudged. And, unfortunately, the past history of the world exhibits no other influence which has been deemed fit and proper to be invoked to maintain authority or to suppress revolution. But it is obvious that this rule cannot be rigidly applied by foreign governments to our political system, nor to the course of policy which the federal government has thought expedient to pursue towards the seceding States, without exhibiting, on the part of such foreign government, a most unfriendly disregard of the rights and interests of the remaining twenty-eight States, and an eager desire to dismember the confederacy. Where the parties place the issue fairly upon the arbitrament of the sword, there the result of arms must naturally determine the action of foreign powers. But where force is *ab initio* repudiated as the means of terminating the contest; where the appeal is to the reason, judgment, and interests of the seceding States; where time is an essential element to moderate excited passion, to examine into alleged grievances, and to apply the remedies provided by our constitutional system; and especially when it is known that propositions for the adjustment of the points at issue are now being considered by some of the most influential States of the confederacy, a hasty recognition by any foreign power of the independence of the seceding States would exhibit, upon the part of such foreign government, proof as unequivocal of an unfriendly spirit towards the United States as if such recognition were made amidst the clash of arms, and with a view of exerting a moral influence over the result of the struggle. It would seem to me, therefore, that no principle of international law, nor any considerations of courtesy or commercial benefit could justify a foreign power in adding to the embarrassments of our present domestic position by recognizing at this time the independence of the confederated States. No appeal will be made to its sympathy by the allegation of grievous wrong and oppression in the presence of the fact that nine other States, with the same rights and interests involved, equally free, brave, and high spirited, have not deemed the evil sufficient to justify a remedy so extreme. Time has not yet made manifest to the world how far those movements have sprung from passion, or are the results of deliberate judgment; whether they have originated in fears which have since proved unfounded, or are the settled convictions of the popular mind. Nor has any adequate opportunity been afforded for the correction of the grievance complained of by the regular operation of our constitutional system. The foreign power which would, under such circumstances, recognize the independence of those States, and thus frustrate and embarrass the regular and pacific adjustment of our own internal difficulties, would subject itself to grave accusations of hostility to the Union, and give to the federal authority, as the agent and representative of the remaining States, just cause of dissatisfaction.

I have no hesitation in expressing it as my opinion, founded upon frequent general interviews with the Emperor, although in no instance touching this particular point, that France will act upon this delicate question when it shall be presented to her consideration in the spirit of a most friendly power; that she will be the last of the great states of Europe to give a hasty encouragement to the dismemberment of the Union, or to afford to the government of the United States, in the contingency to which you refer, any just cause of complaint. The unhappy divisions which have afflicted our country have attracted the Emperor's earnest attention since the first of January last, and he has never, but upon one occasion of our meeting since, failed to make them the subject of friendly inquiry, and often of comment. He looks upon the dismemberment of the American confederacy with no pleas-

ure, but as a calamity to be deplored by every enlightened friend of human progress. And he would act, not only in conflict with sentiments often expressed, but in opposition to the well understood feelings of the French people, if he should precipitately adopt any step whatever tending to give force and efficacy to those movements of separation, so long as a reasonable hope remains that the federal authority can or should be maintained over the seceding States.

The Emperor Napoleon has no selfish purpose to accomplish by the dismemberment of the American Union. As he has upon more than one occasion said to me: "There are no points of collision between France and the United States; their interests are harmonious, and they point to one policy, the closest friendship and the freest commercial intercourse." He knows full well that the greatness of our republic cannot endanger the stability of his throne, or cast a shadow over the glory of France. He would rather see us united and powerful than dissevered and weak. He is too enlightened to misapprehend the spirit of conciliation which now actuates the conduct of the federal authorities. He knows that appeals to the public judgment perform that function in our republic which is elsewhere only accomplished by brute force. And if armies have not been marshalled, as they would have been ere this in Europe, to give effect to the federal authority, he is aware that it is not because the general government disclaims authority over the seceding States, or is destitute of the means and resources of war, but from an enlightened conviction on its part that time and reflection will be more efficacious than arms in re-establishing the federal authority, and restoring that sentiment of loyalty to the Union which was once the pride of every American heart.

I have not, so far, heard that any commissioners have been sent by the seceding States to France. Should they, as you anticipate, arrive shortly, I think I am not mistaken in saying that they will find that the imperial government is not yet prepared to look favorably upon the object of this mission.

I have made this despatch longer, perhaps, than was necessary, for I have not had time to elaborate and digest my ideas very carefully, and submit them as suggestions to elicit more fully the views and instructions of the government.

I am, sir, very respectfully, your obedient servant,

CHAS. J. FAULKNER.

HON. JEREMIAH S. BLACK,
Secretary of State.

Mr. Faulkner to Mr. Seward.

[Extract.]

No. 119.]

LEGATION OF THE UNITED STATES,
Paris, April 15, 1861.

SIR: I called to-day upon Mr. Thouvenel at the ministry of foreign affairs, and was promptly admitted to an interview. Agreeably to your request, I handed to him a copy of the inaugural address of President Lincoln, and added that I was instructed by you to say to him that it embraced the views of the President of the United States upon the difficulties which now disturbed the harmony of the American Union, and also an exposition of the general policy which it was the purpose of the government to pursue with a

view to the preservation of domestic peace and the maintenance of the federal Union. Here Mr. Thouvenel asked if there was not some diversity of opinion in the cabinet of the President as to the proper mode of meeting the difficulties which now disturbed the relations of the States and general government. I replied, upon that point I had no information; under our system the cabinet was but an advising body; its opinions were entitled to weight, but did not necessarily compel the action of the President; the executive power was, by the Constitution, vested exclusively in the President.

I said that I was further instructed to assure him that the President of the United States entertains a full confidence in the speedy restoration of the harmony and unity of the government by a firm, yet just and liberal policy, co-operating with the deliberate and loyal action of the American people. Mr. Thouvenel expressed his pleasure at this assurance.

I further said that the President regretted that the events going on in the United States might be productive of some possible inconvenience to the people and subjects of France, but he was determined that those inconveniences shall be made as light and transient as possible, and, so far as it may rest with him, that all strangers who may suffer any injury from them shall be indemnified.

I said to him that the President thought it not improbable that an appeal would be made before long by the "confederated States" to foreign powers, and, among others, to the government of France, for the recognition of their independence; that no such appeal having yet been made, it was premature and out of place to discuss any of the points involved in that delicate and important inquiry; but the government of the United States desired the fact to be known that whenever any such application shall be made it will meet with opposition from the minister who shall then represent that government at this court.

I said to him that my mission at this court would very soon terminate, and that I should have no official connexion with the question which, it was anticipated, might arise upon the demand of the confederated States for the recognition of their independence; that my place would soon be supplied by a distinguished citizen of the State of New Jersey, a gentleman who possessed the confidence of the President, who fully sympathized in his public views, and who would doubtless come fully instructed as to the then wishes and views of the government of the United States, and that the only request which I would now make, and which would close all I had to say in the interview, was that no proposition recognizing the permanent dismemberment of the American Union shall be considered by the French government until after the arrival and reception of the new minister accredited by the United States to this court.

Mr. Thouvenel, in reply, said that no application had yet been made to him by the confederated States, in any form, for the recognition of their independence; that the French government was not in the habit of acting hastily upon such questions, as might be seen by its tardiness in recognizing the new kingdom of Italy; that he believed the maintenance of the federal Union, in its integrity, was to be desired for the benefit of the people north and south, as well as for the interests of France, and the government of the United States might rest well assured that no hasty or precipitate action would be taken on that subject by the Emperor. But whilst he gave utterance of these views, he was equally bound to say that the practice and usage of the present century had fully established the right of *de facto* governments to recognition when a proper case was made out for the decision of foreign powers. Here the official interview ended.

The conversation was then further protracted by an inquiry from Mr. Thouvenel when the new tariff would go into operation, and whether it was

to be regarded as the settled policy of the government. I told him that the first day of the present month had been prescribed as the period when the new duties would take effect; that I had not yet examined its provisions with such care as would justify me in pronouncing an opinion upon its merits; that it was condemned by the commercial classes of the country, and that I had no doubt, from the discontent manifested in several quarters, that the subject would engage the attention of Congress at its next meeting, and probably some important modifications would be made in it. The finances of the government were at this time temporarily embarrassed, and I had no doubt the provisions of the new tariff were adopted with a view, although probably a mistaken one, of sustaining the credit of the treasury as much as of reviving the protective policy. He then asked me my opinion as to the course of policy that would be adopted towards the seceding States, and whether I thought force would be employed to coerce them into submission to the federal authority. I told him that I could only give him my individual opinion, and that I thought force would not be employed; that ours was a government of public opinion, and although the Union unquestionably possessed all the ordinary powers necessary for its preservation, as had been shown in several partial insurrections which had occurred in our history, yet that the extreme powers of government could only be used in accordance with public opinion, and that I was satisfied that the sentiment of the people was opposed to the employment of force against the seceding States. So sincere was the deference felt in that country for the great principles of self-government, and so great the respect for the action of the people, when adopted under the imposing forms of State organization and State sovereignty, that I did not think the employment of force would be tolerated for a moment, and I thought the only solution of our difficulties would be found in such modifications of our constitutional compact as would invite the seceding States back into the Union on a peaceable acquiescence in the assertion of their claims to a separate sovereignty. * * * * *

I am, very respectfully, your obedient servant,

CHAS. J. FAULKNER

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Dayton.

No. 7.]

DEPARTMENT OF STATE,
Washington, May 4, 1861.

SIR: The despatches of your predecessor, Nos. 117, 119, and 120, have been received; the latter acknowledging the receipt of our letter of recall and announcing his intended return requires no special notice.

No. 117 bears the date of the 5th of April last. It contains only an exposition of Mr. Faulkner's views of the policy which this government ought to pursue in regard to the disturbed condition of affairs at home, but at the same time gives us no information concerning the state of our affairs in France.

The instructions heretofore transmitted to you will show you the President's views on the subject Mr. Faulkner has discussed, and these will be your guide notwithstanding any different opinions your predecessor may have expressed or left on record at Paris.

No. 119 bears date of the 15th of April last, and contains a report of an official conversation, and also of an unofficial one held between Mr. Faulkner and Mr. Thouvenel.

In the former conversation Mr. Thouvenel asked Mr. Faulkner whether there is not some diversity of opinion in the cabinet of the President as to the proper mode of meeting the difficulties which now disturb the relations of the States and the general government. Mr. Faulkner, in reply, said that he had no information on the subject.

The matter is of no great moment, yet it is desirable that there be no misapprehension of the true state of the government in the present emergency.

You may, therefore, recall that conversation to Mr. Thouvenel's memory, and then assure him explicitly that there is no difference of opinion whatever between the President and his constitutional advisers, or among those advisers themselves, concerning the policy that has been pursued, and which is now prosecuted by the administration in regard to the unhappy disturbances existing in the country. The path of executive duty has thus far been too plainly marked out by stern necessities to be mistaken, while the solemnity of the great emergency and the responsibilities it devolves have extinguished in the public councils every emotion but those of loyalty and patriotism. It is not in the hands of this administration that this government is to come to an end at all—much less for want of harmony in devotion to the country.

Mr. Thouvenel's declaration that the United States may rest well assured that no hasty or precipitate action will be taken on the subject of the apprehended application of the insurrectionists for a recognition of the independence of the so-called Confederate States is entirely satisfactory, although it was attended by a reservation of views concerning general principles applicable to cases that need not now be discussed.

In the unofficial conversation Mr. Faulkner says that he himself expressed the opinion that force would not be resorted to to coerce the so-called seceding States into submission to the federal authority, and that the only solution of the difficulty would be found in such modifications of the constitutional compact as would invite the seceding States back into the Union, or a peaceable acquiescence in the assertion of their claim to a separate sovereignty.

The time when these questions had any pertinency or plausibility have passed away. The United States waited patiently while their authority was defied in turbulent assemblies, and in seditious preparations, willing to hope that mediation, offered on all sides, would conciliate and induce the disaffected parties to return to a better mind.

But the case is now altogether changed. The insurgents have instituted revolution with open, flagrant, deadly war to compel the United States to acquiesce in the dismemberment of the Union. The United States have accepted this civil war as an inevitable necessity. The constitutional remedies for all the complaints of the insurgents are still open to them, and will remain so. But, on the other hand, the land and naval forces of the Union have been put into activity to restore the federal authority and to save the Union from danger.

You cannot be too decided or too explicit in making known to the French government that there is not now, nor has there been, nor will there be any the least idea existing in this government of suffering a dissolution of this Union to take place in any way whatever.

There will be here only one nation and one government, and there will be the same republic, and the same constitutional Union that have already survived a dozen national changes, and changes of government in almost every

other country. These will stand hereafter, as they are now, objects of human wonder and human affection.

You have seen, on the eve of your departure, the elasticity of the national spirit, the vigor of the national government, and the lavish devotion of the national treasures to this great cause. Tell Mr. Thouvenel, then, with the highest consideration and good feeling, that the thought of a dissolution of this Union, peaceably or by force, has never entered into the mind of any candid statesman here, and it is high time that it be dismissed by statesmen in Europe.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 5.]

PARIS, May 22, 1861.

SIR: I have the pleasure to announce to you my arrival in this city on Saturday, May 11. On Monday, application was made through our legation for an audience with Mr. Thouvenel, minister of foreign affairs, which was granted for the 16th instant, on which day I was duly presented to him by Mr. Walsh, of the American legation.

Mr. Thouvenel, in the course of the conversation, took occasion to say that he deeply regretted the condition of things in the United States, and that in this expression of feeling he represented the views and feelings of the Emperor; that so deeply concerned was the Emperor that he had felt disposed to offer his good offices, but had been deterred from the fear that his offer might not be well received; but should occasion for this arise, he would always be ready and happy to be of use. He made special inquiry as to the policy of our government in regard to neutral rights, particularly in reference to neutral property found in southern ships. He went into considerable detail to show that historical precedents were in favor of treating southern vessels as those of a regular belligerent, and applying the same doctrine to them as had always been upheld by the United States. He dwelt particularly upon the fact that Great Britain, during our revolutionary war, had not considered our privateers as pirates. I understood him to say that, as respects an effective blockade, it would be fully recognized and respected; but he seemed much impressed with the importance of understanding clearly the intentions of our government in reference to these matters as respects the foreign world.

As respects a tender of the kind offices of the Emperor I could only thank him for the interest in our country which the suggestion manifested, but gave him no reason to suppose such offer at this time would be accepted. As to the doctrines which our government would apply in reference to the blockade of southern ports and neutral rights, I told him I had no specific instructions at present, and could only refer him to the proclamation of the President and the general principles of international law which might bear on the case. I further informed him that immediately after my reception by the Emperor I would apprise my government of the anxiety of the French government to learn the views of our government more definitively upon these questions. You will not fail to have observed that the action of France and England upon this question of belligerent rights has been upon a mutual understanding and agreement.

Throughout the conversation he seemed anxious to impress upon me the great interest which France took in our condition, and their desire for the perpetuation of the Union of the States. He referred to the fact that France had aided in its formation, and did not desire to witness its dissolution. The recognition of the southern confederates as possessing belligerent rights he did not consider at all as recognizing them as independent States.

After the conversation had closed, to save time I at once presented a copy of my letters of credence, and requested an audience of the Emperor, &c.

On the next day I was informed by a note from the minister that I would be received at the palace on the 19th instant, at which time I was presented in due form to the Emperor, in the presence of certain officers of the court.

A copy of my remarks to the Emperor will be found enclosed, (letter A.) In reply, the Emperor, after a courteous welcome, and one or two remarks of a character personally complimentary, said, in substance, that he felt great interest in the condition of things in our country; that he was very anxious our difficulties should be settled amicably; that he had been and yet was ready to offer his kind offices, if such offer would be mutually agreeable to the contending parties; that whatever tended to affect injuriously our interests was detrimental to the interests of France, and that he desired a perpetuation of the Union of the States, with some additional remarks of like tenor and character. His observations were in the same vein as those of the minister of foreign affairs, and I doubt not were the frank expressions of his views on this subject.

Immediately after the formal part of my presentation had closed, and my letters of credence been delivered, he entered for a short time into general conversation. Upon taking my leave of the Emperor I was conducted by the grand chamberlain to the apartments of the Empress, and there presented to her. She repeated to some extent the same views already presented by the Emperor. My reception at the palace was in every respect agreeable. On Monday, the 20th instant, I called again on Mr. Thouvenel, in company with Mr. Sanford, (our minister to Belgium,) for the purpose of obtaining, if possible, a little more distinct information as to what France meant by the terms "neutral rights" and "belligerent" rights; how far he considered such rights as extending to the capture and condemnation of prizes in the ports of France, &c. He said in reply, in substance, that they held that the flag covers the cargo; and that if a southern ship carrying neutral property was captured, the property would not be condemned, &c. He hoped our government would recognize principles for which it had always contended. I told him it would certainly do so, but the question here was, whether there *was* a flag; that our government insisted that the confederates, being merely in rebellion, had no flag, and I could not exactly understand how a foreign government which had not recognized them as an independent power could recognize them as having a flag. He said, furthermore, that the French government had given no warning to their citizens, &c., (as the English government had,) by proclamation, because it was unnecessary; that the statute law of France (of 1825, April 10, I think) declared that any French citizen taking service under a foreign power lost all claim to protection as a citizen; that if a subject of France should take service on board of a letter of marque licensed by the Confederate States, it would be, as I understood him, piratical on the part of such subject. He said, furthermore, that no letters of marque could be fitted out in their ports, or *even sheltered* there, unless they came in from necessity, (as stress of weather, &c.,) and then could remain, I think, but twenty-four hours; that consequently there could be no bringing of prizes into French ports, and while there a condemnation of them in the courts of the southern States. His conversation on this part of the case was very satisfactory, and he

promised me a reference in writing to the French statutes bearing on the question. He added that the French government had addressed certain interrogatories to our government, and would await their answer. The disposition of this government to keep on friendly relations with us is, I think, manifest, and it will not, I judge, be diminished by the obvious fact that certain portions of the public men and the press of England are felicitating themselves on the condition of things in America. The policy of having a heavy commercial power in the west, as some counterpoise to the marine power of England, is too manifest to escape a mind so sagacious as that of the present Emperor of the French. I had taken the liberty before the reception of your last despatch, dated 4th instant, of assuring all persons, official and otherwise, with whom I came in contact, that the most effective measures were being taken by our government to crush out this causeless and wicked rebellion, and that I believed such efforts would be continued to the end; that the fears (which existed in some quarters) that the government would again temporize, and lose the advantage which the present determined enthusiasm of the people gave to it, were groundless. I find very strong feelings existing here in behalf of the Union among the American citizens from the northern States, and a determination to support the government with men and money.

* * * * *

I have had many applications since here by foreigners for service as officers in the army of the United States, and I understand from one of the former secretaries of the legation that many applications were made at the office of the legation before I came. There was one case only, as the secretary says, of an application at the office of the legation for service in the army of the south, and this was from an anonymous correspondent, the note seeking service being unsigned. To these applications I have said that our service was open to volunteers, but I had no authority to commit the government to appointments; that, in fact, we needed arms rather than men. * * *

No formal notice of the blockade of southern ports has been given to the government here, unless through the agency of the French minister at Washington. Indeed, I think I understood Mr. Thouvenel to say that they had received no such formal notice at all. I shall call the attention of Mr. Thouvenel to the original proclamation when I communicate to him (as I shall at once do) the additional proclamation (just received) of the blockade of the ports of Virginia and North Carolina.

* * * * *

I have opened, since here, (directed to my predecessor,) a copy of the President's proclamation as to the blockade of the ports of Virginia and North Carolina, dated 27th April, 1861. I received likewise despatch No. 4 last night, containing views of the government at Washington as to the abolition of privateering, and enclosing to me a commission to effect with the French government a treaty for that purpose, with the form of such treaty. This is of great importance, and will affect in a material degree the means of defence on the part of our country in time of war. I shall proceed in conformity, however, with these instructions to communicate with the minister of foreign affairs on the subject. But I cannot help feeling, in view of what the French law is, as heretofore stated, and the little danger to our commerce which can soon arise from any action of this government or of its subjects from privateers, that I had better attempt again to obtain a provision exempting from seizure *private* property afloat (unless contraband) the same as private property is now exempt on land. I should very much regret an opportunity lost to obtain such a treaty provision, if possible, before we give up that species of volunteer marine by which we are enabled in some degree to affect the commerce of other nations, having

a heavier naval marine, while they are destroying our own. The Emperor is about to leave Paris for the country, and it is doubtful if great expedition can be had in this matter ; but, acting under the direct instructions of the government at home, I shall incur no unnecessary delay in carrying those instructions (if I can procure no better terms) into effect.

* * * * *

I have received your despatch (No. 7) containing instructions as to matters to be communicated to Mr. Thouvenel in reference to the unity of the cabinet at Washington and the intentions of the government to prosecute the war with the utmost effect.

I will, at the earliest moment, so state to Mr. Thouvenel, though it will be to some extent a restatement of what has already been said. There has, I fear, been some misapprehension upon the minds of the authorities here upon this subject.

Since my arrival here my engagements, personal and official, have been constant ; so much so that it has not been in my power to communicate as promptly with your department as I would have desired.

* * * * *

Your very obedient servant,

WM. L. DAYTON.

HON. WILLIAM H. SEWARD,
Secretary of State.

A.

YOUR MAJESTY : I have the honor to present to your Imperial Majesty these, my letters of credence from the President of the United States of America, accrediting me as envoy extraordinary and minister plenipotentiary near to your Majesty.

By these letters it is made my especial duty, as it will certainly be my pleasure, with the assent of your Majesty, to cultivate and strengthen the friendship and good correspondence which has heretofore existed between France and the United States, and as far as possible to preserve and advance the interest and happiness of both nations. The people of the United States have not forgotten, nor can they ever forget, that France was their first ally, and throughout the whole period of their national existence has been (with a passing cloud only) their constant friend. An unbroken intercourse of good offices and kind feelings between two great nations for so long a period affords just cause of pride and congratulation to both. Each year has continued to enlarge those business interests which bind us together, and I am happy to know that at no period in our past history have those interests been more prosperous than under the wise, liberal, and enlightened policy of your Imperial Majesty. All our recollections of the past, all our interests of the present, and all our hopes for the future, prompt the United States to cultivate with sedulous care those friendly relations with the government of France which have existed so long and been productive to each nation of results so auspicious.

I have it specially in charge from the President of the United States to give assurance to your Imperial Majesty of his disposition to cultivate such friendly relations ; to assure your Majesty personally of his high respect and appreciation ; to tender to you, to the Empress, your imperial consort, and to each of the members of the imperial family, his best wishes for their

health, prosperity, and happiness. Permit me only to add that the mission near to your Imperial Majesty, with which I have been honored, is one most grateful to my feelings, and without neglecting the interests of my own government, I shall endeavor so to discharge its duties as to make my residence here entirely agreeable to your Majesty.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 6.]

PARIS, May 27, 1861.

SIR: Immediately after closing my last despatch I wrote to Mr. Thouvenel a note apprising him that I was fully authorized to enter into a convention with the government of France in respect to privateering, the rights of neutrals, and the matter of blockade, and requesting him, if disposed to renew negotiations upon these subjects, to name a day for conference.

My note was not sent until the 25th instant. A copy is attached, marked letter A.

On the same day, to wit, the 25th of the present month, I sent to Mr. Thouvenel a copy of the President's proclamation of the blockade of the ports of Virginia and North Carolina, referring, at the same time, to the previous blockade of the other southern ports. A copy of my note is attached, marked letter C.

On the 24th instant I received from the minister of war a note as to certain fire-arms for the State of Virginia, applied for by my predecessor, Mr. Faulkner; a copy of which note, marked D, together with my answer thereto, marked E, is hereunto attached.

* * * * *

I recently received from the agent of our Havre line of steamers a request that I would (by application to the government for munitions of war) aid him to put the steamer Fulton in a condition of defence on her homeward voyage; which I did, so far as I could, by presenting his request to the government. A copy of his request, indorsed by me, is herewith attached, marked H. I presume the request was granted, as I have heard nothing since from the agent, and the steamer leaves her port to-day.

I have just received the despatches, by the last steamer, directed to Mr. Sanford, to whom I immediately delivered them; and likewise your circular to me upon the subject of passports, with which I shall carefully comply.

Mr. Thouvenel has promptly answered my note informing him I was authorized to enter into a convention as to privateering, &c., and has designated to-morrow, at 4 p. m., for a conference. In my next despatch I shall be able, doubtless, to give you some information as to the views of the French government on this subject. Mr. Marsh has been here, engaged in doing good service by matter communicated for use through the English press.

Mr. Burlingame is remaining here for a short time, acting under the advice of his brother diplomatists, owing to matter confidentially communicated from Vienna.

With much consideration, your obedient servant,

WM. L. DAYTON.

Hon. WM. H. SEWARD,
Secretary of State.

A.

PARIS, *May 24, 1861.*

SIR: I have the honor to inform your excellency that I am fully authorized by my government to enter into a convention with the government of France in reference to the subject of privateering, the rights of neutrals, and the matter of blockade.

If, therefore, the government of his Imperial Majesty remains disposed to renew negotiations upon these subjects, I shall be happy to have a conference with your excellency at such time as your excellency may indicate.

With great respect, I have the honor to be your obedient servant,
WM. L. DAYTON.

MR. THOUVENEL, *Minister of Foreign Affairs.*

C.

PARIS, *May 24, 1861.*

SIR: I beg to enclose to your excellency a copy of a proclamation issued by the President of the United States on the 27th of April last, establishing a blockade of the ports of the States of Virginia and North Carolina.

A prior proclamation, dated 19th April last, established a blockade of the ports of the States of South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, and Texas, of which your excellency has doubtless had notice.

With much respect, I have the honor to be your excellency's obedient servant,

WM. L. DAYTON.

MR. THOUVENEL, *Minister of Foreign Affairs.*

D.

PARIS, *May 24, 1861.*

SIR: The 27th September, 1860, your predecessor having requested me to have the goodness to deliver to him, from the state arsenal, four fire-arms (4 *armes à feu*) and two other arms (*armes blanches*) for the State of Virginia, I authorized the said delivery, with the approbation of the Emperor; and the 22d of October, 1860, I informed Mr. Faulkner that the artillery board of Paris held these arms at the disposition of the Virginia commissioners.

Up to this moment there has not been a delivery, and the letters of the director colonel of artillery, as also my despatch of the 21st of March last to Mr. Faulkner, remain unanswered.

Interpreting this silence as a renunciation of the request of the State of Virginia, I have the honor to inform you that, unless you intimate a desire to the contrary in the course of a few days, I shall order the director of artillery at Paris to consider the authorization of the 22d of October, 1860, as null.

Accept, sir, the assurance of the most distinguished consideration with which I have the honor to be your very humble and very obedient servant,

RANDON,

Le Marechal de France, Ministre Secrétaire d'état de la Guerre.

E.

PARIS, May 26, 1861.

SIR: I have the honor to acknowledge your letter of the 24th instant, calling my attention to the fact that my predecessor, on the 27th of September last, requested you to have the goodness to deliver to him, from the government arsenal, four fire-arms (*4 armes à feu*) and two other arms (*armes blanches*) for the State of Virginia, and that you authorized the said delivery, with the approbation of the Emperor, on the 22d of October, 1860; and that you informed Mr. Faulkner that the artillery board of Paris held those arms at the disposition of the Virginia delegates; that up to the date of your note to me the letter from the colonel of the artillery staff and your own despatches of the 21st of March last, addressed to Mr. Faulkner, have remained unanswered, &c.

I beg to say to your excellency that I am altogether ignorant of the causes of delay on the part of my predecessor in answering the communications referred to, and asking for the delivery of the arms in question.

I pray you, sir, to accept for yourself, and convey to the Emperor, my grateful acknowledgments, in behalf of the United States, for the courtesy extended in the expression of a readiness to grant the request of my predecessor; while I deem it proper to say at once that the request for the arms referred to will not, under existing circumstances, be renewed by me in behalf of the State of Virginia.

I beg to assure you, sir, of the high consideration with which I have the honor to be your obedient servant,

WM. L. DAYTON.

Mons. le Marechal Comte RANDON,
Minister de la Guerre.

H.

PARIS, May 23, 1861.

EXCELLENCY: The necessity which exists for arming our steamer, the *Fulton*, against any attack of the privateers of the southern confederacy obliges Captain Walton to provide himself with *two hundred rifles*. These guns, which we have purchased at Leige, (Belgium,) will be delivered to-day or to-morrow at Havre.

But we have no cartridges for these guns, and are obliged to buy them in France, and cannot obtain them without an authorization from the minister of war. We are thus obliged to appeal to you, to beg your powerful influence in obtaining the necessary munitions.

We desire that the French government furnish us, delivered on board the steamer *Fulton*, at Havre, *twenty thousand cartouches for hunting rifles*, of the calibre 17 $\frac{1}{2}$, for the muzzle of the guns. Either our house, at Paris, or that of Messrs. W. Selim & Co., at Havre, will pay the bills.

The steamer *Fulton* will quit Havre Tuesday morning, 28th instant, and it will be necessary that the munition should be delivered Monday.

We pray your excellency to accept, *in entram*, the expression of the profound gratitude and our distinguished consideration of your excellency's most obedient servants,

SHELBERT, KANE & CO.,
8 Place de la Bourse.

His Excellency Mr. DAYTON,
Minister of the United States of America, Paris.

Mr. Seward to Mr. Dayton.

No. 10.]

DEPARTMENT OF STATE,
Washington, May 30, 1861.

Sir: Mr. Sanford, who was requested by me to look to our interests in Paris in the interval which might elapse between the withdrawal of Mr. Faulkner and your own arrival, has transmitted to me (in his despatch No. 2) an account of a very interesting conversation which he has recently held with Mr. Thouvenel on our internal affairs.

In that conversation Mr. Thouvenel intimated that, in view of the great commercial interests which are involved in the domestic controversy which is now agitating the United States, the French government had felt itself constrained to take measures, in conjunction with the government of Great Britain, to meet a condition of things which imperiled those interests. That it had been decided that communications of a similar tenor should be addressed by both of those governments to the government of the United States, and that those communications would be forwarded in the current week. Mr. Thouvenel kindly foreshadowed the points of those communications.

As those papers may be expected to arrive by, perhaps, the next steamer, I shall reserve comments upon the propositions indicated until they shall thus be fully and directly brought to the attention of the President.

There are, however, some points in the conversation, or suggested by it, which I cannot properly suffer to pass unnoticed.

First. I desire that Mr. Thouvenel may be informed that this government cannot but regard any communications held by the French government, even though unofficial, with the agents of the insurrectionary movement in this country as exceptionable and injurious to the dignity and honor of the United States. They protest against this intercourse, however, not so much on that ground as on another. They desire to maintain the most cordial relations with the government of France, and would therefore, if possible, refrain from complaint. But it is manifest that even an unofficial reception of the emissaries of disunion has a certain though measured tendency to give them a prestige which would encourage their efforts to prosecute a civil war destructive to the prosperity of this country and aimed at the overthrow of the government itself. It is earnestly hoped that this protest may be sufficient to relieve this government from the necessity of any action on the unpleasant subject to which it relates.

Secondly. The United States cannot for a moment allow the French government to rest under the delusive belief that they will be content to have the confederate States recognized as a belligerent power by States with which this nation is in amity. No concert of action among foreign States so recognizing the insurgents can reconcile the United States to such a proceeding, whatever may be the consequences of resistance.

Thirdly. The President turns away from these points of apprehended difference of opinion between the two governments to notice other and more agreeable subjects.

The tone of Mr. Thouvenel's conversation is frank, generous, and cordial; and this government feels itself bound by new ties to France when her Emperor avows his desire for the perpetual union of the States. Especially does this government acknowledge that it is profoundly moved by the declaration of his Majesty, that he would be willing to act as mediator in the civil strife that unhappily convulses our country. These expressions of good will are just what have been expected from the Emperor of France. This government desires that his Majesty may be informed that it indulges

not the least apprehension of a dissolution of the Union in this painful controversy. A favorable issue is deemed certain. What is wanted is that the war may be as short, and attended by as few calamities at home and as few injuries to friendly nations, as possible. No mediation could modify in the least degree the convictions of policy and duty under which this government is acting; while foreign intervention, even in the friendly form of mediation, would produce new and injurious complications. We are free to confess that so cordial is our regard for the Emperor and our confidence in his wisdom and justice, that his mediation would be accepted if all intervention of that kind were not deemed altogether inadmissible. This government perceives, as it thinks, that the French government is indulging in an exaggerated estimate of the moral power and material forces of the insurrection. The government of the United States cheerfully excuses this error, because it knows how unintelligible the working of the American system and the real character of the American people are to European nations. This government knows, moreover, and painfully feels, that the commercial interests of European states are so deeply involved in the restoration of our domestic peace as to excite the highest anxiety and impatience on their part. But it desires the French government to reflect that our commercial interests involved in the issue are even greater than their own; and that every motive that France can have for desiring peace operates still more powerfully on ourselves, besides a thousand motives peculiar to ourselves alone. The measures we have adopted, and are now vigorously pursuing, will terminate the unhappy contest at an early day, and be followed by benefits to ourselves and to all nations greater and better assured than those which have hitherto attended our national progress. Nothing is wanting to that success except that foreign nations shall leave us, as is our right, to manage our own affairs in our own way. They, as well as we, can only suffer by their intervention. No one, we are sure, can judge better than the Emperor of France how dangerous and deplorable would be the emergency that should intrude Europeans into the political contests of the American people.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts]

PARIS, May 30, 1861.

SIR: Since the date of my despatch No. 6 I have had an interview with Mr. Thouvenel.

I told him I was authorized to accept the propositions adopted at the congress of Paris in 1856, but with the desire expressed by the President that the provisions should be added exempting private property afloat, unless contraband, from seizure and confiscation. I did not say, nor did he ask, whether the four propositions would be accepted without amendment. He said nothing could be done except by conference with the other powers, but if I would submit the proposition in writing, which I shall at once do, he would immediately address the other powers, and we would probably receive an answer in ten or twelve days.

I have been induced to suggest again the adoption of this amendment

exempting private property afloat from seizure and confiscation: (1.) From the preference or wish of the President expressed in your letter of instruction. (2.) From the great importance, as it seemed to me, of securing the adoption of the principle, if possible, before the United States should give up the right of privateering. (3.) From the facts patent on the correspondence of this legation in 1856, whereby it appears that France and Russia were both favorably disposed at that time to the adoption of the principle of the amendment, (see Mr. Marcy's despatch to Mr. Mason, No. 94, dated October 4, 1856, and Mr. Mason's confidential letter to Mr. Dallas, of December 6, 1856,) and the obvious fact that it would be the interest of all the other powers (having little naval force) to concur in the amendment. (4.) From the fact that since the date of your despatch to me authorizing the acceptance of the four propositions adopted by the congress at Paris, Mr. Sanford, our minister to Belgium, on a visit to England, learned from Mr. Adams that the British government had given, as he understood, general instructions on the subject to Lord Lyons; and the impression made on the mind of Mr. Adams, as reported to me by Mr. Sanford, was that it was not improbable that England would now, to secure our concurrence in the other propositions, concur in the amendment. That in view of this information, Mr. Adams, who had like instructions with my own, had referred the matter back to be treated of and discussed at Washington. I could not, therefore, at once accept the four propositions, pure and simple, without running the hazard of conflicting with what might be done elsewhere.

I will probably receive an answer from Mr. Thouvenel (after he shall have communicated my proposition to the other powers) before even I shall receive my next despatch on this subject from Washington, which I shall await with some anxiety.

* * * * *

The laws, however, in connexion with the practice of the tribunals of France are, I think, as follows:

1. That the captain who accepts a commission from a foreign government and takes command of a cruiser is guilty of a piratical act.

2. That all French subjects enlisting on board of such cruiser, without authority of the Emperor, lose their citizenship, and consequently forfeit their right to the protection of their government.

3. That the principle applied in the French tribunals is unlike that which has been applied in England (and I fear it will be found in the United States) as to harboring privateers; and while their prizes are in a neutral port having them condemned in courts of admiralty of the country licensing such privateer. The laws and practice of the French courts do not admit of this. But these matters, as Mr. Thouvenel now says, must be all left for determination to the tribunals of France.

I am happy to say that there is no disposition manifested here, so far as I have observed, to favor the rebellion in our southern States, or to recognize them as an independent power. All recognition of rights on their part is for commercial purposes only. But the government of France cannot, it says, look at this rebellion as a small matter. That, embracing as it does a large section and many States, they cannot apply to it the same reasoning as if it were an unimportant matter or confined to a small locality.

Mr. Thouvenel says he has had no application from southern commissioners for any purpose of recognition, and he does not know even that such persons are or have been in Paris.

* * * * *

I send you a copy of "Galignani's Messenger," containing a report of the

proceedings of a large and enthusiastic meeting of Americans yesterday at the Hotel du Louvre.

With high consideration, your obedient servant,

WM. L. DAYTON.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 11.]

PARIS, June —, 1861.

SIR: Your despatch (No. 10) was received by me on the 18th instant, and its substance communicated to Mr. Thouvenel on the 19th. On that day I had with him an interesting conversation. I communicated to him the very kind language which you had used in behalf of the President in reference to the Emperor and his willingness to mediate between the north and south, should such mediation be desired. Nothing could have been better expressed than the language of your own despatch; and, without formally reading it to him, I endeavored to repeat, substantially, its language. Mr. Thouvenel seemed much gratified at its tone, and inasmuch as the Emperor had made like remarks to me personally, I begged that your reply might be specially communicated to him, which was readily promised. This, as you may infer, was the most agreeable part of my duty, as connected with your despatch.

A short editorial in reference to the recognition of the independence of Italy, and in that connexion of the States of the south, which is herewith enclosed, first appeared in the *Patrie*, (a newspaper published in this city, and which has heretofore had a semi-official character.) It was republished on Sunday last in the "*Moniteur*" without remark, thus giving it an official significance which would not otherwise have been attached to it. It attracted much attention here, and some anxiety. I resolved that, at the first opportunity, I would seek an explanation from the minister of foreign affairs. After my communication of your kind remarks, before referred to, I availed myself of the opportunity of calling his attention to this matter. He at once said that his own attention had been arrested by it; that it was a "silliness;" that Mr. Persigny (minister of the interior) was more dissatisfied with it even than he was; that the *Patrie* had ceased, ten days ago, to be a semi-official paper; that he did not know how the paragraph had crept into the *Moniteur*, but that Count Walewski (minister of state) had been out of the city for ten days past, and that as a consequence matters had not had the usual oversight. He read me a note from the count, in answer to one he (Mr. Thouvenel) had written, inquiring if it would not be better to insert something to show that the paragraph was printed in the *Moniteur* by mistake, to which note the count replied that he thought it would be giving an unnecessary importance to the matter, and in that view Mr. Thouvenel, upon reflection, concurred. But he said he was vexed at the insertion in the *Moniteur*, and at the commentaries likely to be made upon it. He said, furthermore, (what he has so often said before,) that the French government had no sympathy whatever with the seceding States of the south; that it had no idea of recognizing them as an independent power; that should they, in the course of time, obtain a status as an independent power among nations, and show themselves able to maintain that posi-

tion, the French government might ultimately recognize them; but this would be after the expiration of a time ample to test their ability in this behalf. He said, incidentally, three or four years, though I do not suppose he intended anything by this, except to explain more fully his meaning.

He said, furthermore, he had received Mr. Rost, (one of the commissioners of the south,) who applied to him through a third party; that he had not applied to be received as a commissioner from the south; if he had so done he would not have received him.

* * * * *

Mr. Thouvenel referred, in terms of satisfaction, to a private note which he had received from you, through this legation.

I have just received a note from Mr. Perry, our chargé d'affaires at Madrid, under date of the 16th instant, stating that on the next or following day a decree of that government would be made in reference to privateers and Spanish ports, of a like character, in the general, as that which has been made by the French government. This, in view of the locality of certain ports of Spain, will be an important benefit to us.

With a blockade of the ports of the south, and the ports of other nations closed against them, there will be little hope left for profitable marauding on the high seas.

I think I may say with some confidence that all the efforts of the agents of the confederates on this side of the channel have thus far been abortive. They have no encouragement to their hopes of recognition. They have met with no success in their attempts to negotiate a loan. I do not believe they have got any considerable supply of arms, and I think that we know substantially *what they have done and are attempting to do*. My only fear is of a possible, not probable, reverse to our arms in Virginia, and a rush, under the excitement of a first victory, upon the city of Washington. Should they get possession, by any possibility, of that point, the prestige it would give them (aside from any strategic advantage) might be productive of most unhappy results. God grant that no such future may hang over us.

* * * * *

With much respect, I have the honor to be your obedient servant,
WM. L. DAYTON.

Hon WILLIAM H. SEWARD,
Secretary of State.

[Translation.]

The "Patrie" says:

It is asserted that negotiations will be opened to bring about the re-establishment of diplomatic relations between France and the court of Turin. If they take effect, the consequence will be the recognition of the Italian kingdom, composed of the provinces and states which have passed under the sceptre of his Majesty King Victor Emanuel, at the close of occurrences upon which France has not at this time occasion to express herself, but which have transpired through favor of the principle of non-intervention recognized in Europe.

The renewal of diplomatic relations with Turin would not imply on the part of France, on the subject of the policy of the Italian kingdom, any

judgment upon the past, nor any solidarity for the future. It would make it appear that the government *de facto* of this new state is sufficiently established to render it possible to entertain with it those international relations which the interests of the two countries imperatively require.

France, in her new attitude, would not purpose to interfere at all with the internal or external affairs of the Italian kingdom, which must be sole judge of its administration, as it is of its future and its destinies. It will act towards it as at some future day the great European powers will act upon the American question, by recognizing the new republic of the southern States when that republic shall have established a government resting on foundations which will permit the formation of international relations with it conducive to general interests.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 9.]

PARIS, June 7, 1861.

SIR: I have the honor to acknowledge the receipt of a circular dated May 6, 1861, giving instructions in respect to granting passports.

* * * * *

I understood him (M. Thouvenel) to say an answer could be got within ten or twelve days from the other powers. I was surprised at the briefness of the time stated, but supposed he meant to consult the representatives of those powers at this court; but his remark, as I am now informed, applied to a consultation with certain of the ministers of the French government only. The statement in the American newspapers, that the Department of State had authorized the acceptance of the Paris treaty of 1856 (if that is understood by Lord Lyons to be a distinct acceptance of the treaty, pure and simple) will, I fear, prevent all chance of other terms. The late announcement of the course of the British government, shutting their ports against privateers, (which so much limits the belligerent rights of the so-called Confederate States,) you will consider, perhaps, renders the accession of our government to the treaty of Paris at this time of less importance than it otherwise would be. I think, from remarks in the New York press, (Herald and Times, and perhaps other prints which I have not seen,) that the force and efficacy of an accession by our government to the treaty of Paris is misunderstood. If I understand the view of these foreign governments, such accession by us would merely bind our hands as respects privateering; it would not at all enlarge our rights as against a belligerent power *not a party* to the treaty; nor would it bind these European governments to enforce the laws of piracy as against such belligerent power *not a party to the treaty*. If they admit the Confederate States as a belligerent power, and recognize them for even commercial purposes, (which, I take it, is what they mean to do,) our accession to the treaty of Paris will not change their action on this question. The status of these rebellious States as respects privateering will remain where it was; at least that is the view which I think is and will be taken of this question by England and France. But however this may be, I am happy to know that, in suggesting to the French government the amendment to that treaty, (securing private property afloat, unless contraband,) I have occasioned no unnecessary delay, inasmuch as Mr. Adams has referred the whole matter back to Washington,

and as soon as you shall act there, or before, upon a notification to me, I can act here.

* * * * *

With high consideration, I have, &c.,

WM. L. DAYTON.

Hon. WM. H. SEWARD, *Secretary of State.*

Mr. Seward to Mr. Dayton.

No. 13.]

DEPARTMENT OF STATE,

Washington, June 8, 1861.

SIR: Your despatch of May 22d (No. 5) has been received. Your safe arrival at your post of duty in this crisis, when our relations to foreign countries, and especially to France, have assumed a degree of interest and importance never known before since the Constitution was established, is a source of sincere satisfaction.

The President approves the sentiments you expressed on your presentation to his Imperial Majesty. The manner in which he received you, and the friendly expressions made by himself, as well as those which were employed by Mr. Thouvenel, although not unexpected, have given us the liveliest satisfaction.

We appreciate highly the Emperor's assurance that he would mediate between the government and the insurgents, with a view to the maintenance and preservation of the Union, if such intervention were deemed desirable by us; and that generous offer imposes a new obligation upon us toward France, which we acknowledge with sincere pleasure.

If mediation were at all admissible in this grave case, that of his Majesty would not be declined. But the present paramount duty of the government is to save the integrity of the American Union. Absolute, self-sustaining independence is the first and most indispensable element of national existence. This is a republican nation; all its domestic affairs must be conducted and even adjusted in constitutional republican forms and upon constitutional republican principles. This is an American nation, and its internal affairs must not only be conducted with reference to its peculiar continental position, but by and through American agencies alone. These are simple elementary principles of administration, no one of which can be departed from with safety in any emergency whatever; nor could it be departed from with the public consent, which rightfully regulates, through constitutionally constituted popular authorities, the entire business of the government.

I have set them forth in no invidious, uncharitable, or ungenerous spirit. I state them fairly and broadly, because I know the magnanimity of the Emperor of France, and I know that he can appreciate directness and candor in diplomacy. I know, moreover, that he is a friend of the United States, and desires that they may continue one great and independent nation forever. I know still further, that the principles I have thus stated will commend themselves to his own great wisdom. To invite or to accept mediation would be incompatible with these principles.

When all this has been said, you will then further say to Mr. Thouvenel, or to the Emperor, that if any mediation were at all admissible it would be his own that we should seek or accept.

You may say, at the same time, that this government has no apprehension whatever of its being unable to conduct our domestic affairs through this crisis to a safe conclusion; that consummation is even not far distant, if

foreign powers shall practice towards us the same forbearance from intervention which we have habitually practiced towards them in emergencies similar to our own; that intervention by them would only protract and aggravate the civil war in which we are unhappily engaged; that civil war is a scourge to which we are more sensitive than any other people, but that the preservation of national unity, which is national existence, reconciles us to every form of difficulty and to the longest possible endurance of the trial in which we are engaged.

Other subjects mentioned in your despatch will be the subject of a special communication after we shall have received the information from the French government which Mr. Thouvenel told Mr. Sanford that he should send with very little delay. It seems desirable to have the positions of the French government in regard to our affairs, as stated by itself, before we answer to inquiries bearing on the subjects to be discussed, which were referred to us through the conversation which took place at the time of your reception.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c., *Paris*.

P. S.—I enclose a copy of a note of this date to Lord Lyons, which will dispel any uncertainty which the French government may entertain in regard to our recognition of a rule of international law which they may deem important.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 10.]

PARIS, June 12, 1861.

SIR: Your despatch (No. 10) was duly received on the 9th instant, and, by the same steamer, certain enclosures which were delivered by me to Mr. Sanford as directed.

Your despatch (which is of great interest) was likewise handed by me to Mr. Sanford, to be read and copied if desired, with strict injunctions as to the necessary care to prevent all premature exposure of its contents. * * * You will observe in the first column of "*Le Moniteur Universel*" (a copy of which is herewith sent) that his Majesty the Emperor of the French, has published a formal declaration, setting out the principles by which this government will be controlled in respect to vessels of war or privateers of the United States and of those who *assume* to have formed ("*prétendent former*") a separate confederation. These principles are substantially the same as those set forth in my despatch No. 5, and, if they are thoroughly carried out by this government, I do not see that much danger can arise to our commerce from French subjects, or any facilities afforded by French ports. Indeed, if the insurrectionists of the south are recognized as belligerents, I do not see how we can justly ask or expect the French government to go further against the pretended confederacy than it has gone in this declaration. That part of the declaration which puts the vessels of the United States in the same category as the vessels of the Confederate States, may, I think, be justly complained of; but this grows almost necessarily out of the recognition of those States as belligerents. France has placed upon their rights as belligerents (as it seems to me) the utmost limitation that she could put

upon them, consistently with the recognition of such rights at all. She has done this, moreover, without offensive promulgation of sympathy with the southern rebels either upon the part of the government or its statesmen, but with expressions of kindness and respect for us throughout.

I have not yet received from Mr. Thouvenel an answer to my written proposition to open negotiations for the accession of the United States to the treaty of Paris of 1856. A copy of that written proposition, marked A, is hereunto attached.

The European press, so far as I have observed, take it for granted that the accession of the United States to that treaty would not at all alter the relations of the several powers to the so-called southern confederacy. A treaty cannot of itself alter the law of nations, although it may restrict the rights of those States which become parties to it. The treaty of Paris certainly did not prevent the United States, while no party to it, from issuing letters of marque, nor would the accession of the United States to such treaty prevent the confederates of the south from doing the same thing if they are recognized by other nations as a belligerent power. The whole difficulty, every subsequent right which has been conceded to the confederates, grows out of that recognition.

It is doubtful, perhaps, whether the other powers will, under the circumstances, negotiate for the accession of the United States at this time to the treaty in question; but should they do so, it will be with the understanding, I take it, that it imposes no new duties upon them growing out of our domestic controversy. I beg pardon, however, for these suggestions. They may, perhaps, be considered a little beyond the line of my official duties.

With high consideration, I have the honor to be your obedient servant,
WM. L. DAYTON.

HON. WILLIAM H. SEWARD,
Secretary of State, &c.

A.

PARIS, May 31, 1861.

SIR: In conformity with the verbal promise I gave at our last conference, I now have the honor to propose to your excellency an accession, on the part of the United States of America, to "the declaration concerning maritime law," adopted by the plenipotentiaries of France, Great Britain, Austria, Prussia, Russia, Sardinia, and Turkey, at Paris, on the 16th of April, 1856, with the addition to the first clause, which declares "privateering is and remains abolished," of the following words: "And the private property of the subjects or citizens of a belligerent on the high seas shall be exempted from seizure by public armed vessels of the other belligerent, unless it be contraband."

Thus amended I will immediately sign a convention on the part of the United States, acceding to the declaration, which will, I doubt not, be promptly ratified and confirmed by my government.

With much respect, I have the honor to be your very obedient servant,
WM. L. DAYTON.

HIS EXCELLENCY MONSIEUR THOUVENEL,
Minister of Foreign Affairs.

Mr. Seward to Mr. Dayton.

No. 19.]

DEPARTMENT OF STATE,
Washington, June 17, 1861.

SIR: Every instruction which this government has given to its representatives abroad, since the recent change of administration took place, has expressed our profound anxiety lest the disloyal citizens who are engaged in an attempt to overthrow the Union should obtain aid and assistance from foreign nations, either in the form of a recognition of their pretended sovereignty, or in some other and more qualified or guarded manner. Every instruction has expressed our full belief that, without such aid or assistance, the insurrection would speedily come to an end, while any advantage that it could derive from such aid or assistance could serve no other purpose than to protract the existing struggle and aggravate the evils it is inflicting on our own country and on foreign and friendly nations. Every instruction bears evidence of an earnest solicitude to avoid even an appearance of menace or of want of comity towards foreign powers; but at the same time it has emphatically announced, as is now seen to have been necessary, our purpose not to allow any one of them to expect to remain in friendship with us if it should, with whatever motive, practically render such aid or assistance to the insurgents. We have intended not to leave it doubtful that a concession of sovereignty to the insurgents, though it should be indirect or unofficial, or though it should be qualified so as to concede only belligerent or other partial rights, would be regarded as inconsistent with the relations due to us by friendly nations. Nor has it been left at all uncertain that we shall, in every event, insist that these United States must be considered and dealt with now, as heretofore, by such nations as exclusively sovereign for all purposes whatsoever within the territories over which the Constitution has been extended. On the other hand we have not, at any time, been unmindful of the peculiar circumstances which might excite apprehensions on the part of commercial nations for the safety of their subjects and their property in the conflicts which might occur upon sea as well as on land between the forces of the United States and those of the insurgents.

The United States have never disclaimed the employment of letters of marque as a means of maritime war. The insurgents early announced their intention to commission privateers. We knew that friendly nations would be anxious for guarantees of safety from injury by that form of depredation upon the national commerce. We knew also that such nations would desire to be informed whether their flags should be regarded as protecting goods, not contraband of war, of disloyal citizens, found under them, and whether the goods, not contraband, of subjects of such nations would be safe from confiscation when found in vessels of disloyal citizens of the United States. This administration, free from some of the complications of those which had preceded it, promptly took up the negotiations relating to the declaration of the congress of Paris, just at the point where they had been suspended by President Buchanan. We found it just and humane in itself so far as it goes, and that it had only failed to be accepted by the United States because foreign nations had refused to accept an additional principle proposed by this government, yet more just and humane than any which it does contain, namely, that the property of private citizens, not contraband, should be exempted from confiscation in maritime war. While still willing and desirous to have that further principle incorporated in the law of nations, we nevertheless instructed you, and all our representatives in foreign countries, to waive it, if necessary, and to stipulate, subject to the concurrence

of the Senate of the United States, our adhesion to the declaration of the congress of Paris as a whole and unmodified. This was done so early as the 25th day of April last, long before the date of the instructions which Mr. Mercier proposed to submit to us. We have ever since that time been waiting for the responses of foreign powers to this high and liberal demonstration on our part. We have, however, received no decisive answers on the subject from those powers.

It was under these circumstances that on the fifteenth day of June instant, the minister from France and the minister from Great Britain, having previously requested an interview, were received by me. Each of them announced that he was charged by his government to read a despatch to me and to give me a copy if I should desire it.

I answered that, owing to the peculiar circumstances of the times, I could not consent to an official reading or delivery of these papers without first knowing their characters and objects. They confidentially and with entire frankness put the despatches into my hands for an informal preliminary examination. Having thus become possessed of their characters, I replied to those ministers that I could not allow them to be officially communicated to this government. They will doubtless mention this answer to their respective states.

I give you now the reasons of this government for pursuing this course in regard to the despatch from France, that you may communicate them to the French government, if you shall find it necessary or expedient.

Some time ago we learned through our legation at St. Petersburg that an understanding had been effected between the governments of Great Britain and France that they should take one and the same course on the subject of the political disturbances in this country, including the possible recognition of the insurgents. At a later period this understanding was distinctly avowed by Mr. Thouvenel to Mr. Sanford, who had been informally introduced by me to the French minister for foreign affairs, and by Lord John Russell to Mr. Dallas, our late minister in London. The avowal in each case preceded the arrival of our newly appointed ministers in Europe, with their instructions for the discharge of their respective missions.

On receiving their avowals I immediately instructed yourself and Mr. Adams "that although we might have expected a different course on the part of these two great powers, yet, as the fact that an understanding existed between them did not certainly imply an unfriendly spirit, we should not complain of it, but that it must be understood by the French and British governments that we shall deal hereafter, as heretofore, in this case, as in all others, with each power separately, and that the agreement for concerted action between them would not at all influence the course we should pursue." The concert thus avowed has been carried out. The ministers came to me together; the instructions they proposed to me differ in form, but are counter-parts in effect.

Adhering to our previous decision, which before this time has doubtless been made known to the government of France, we do not make this concert, under the circumstances, a reason for declining to hear the instruction with which Mr. Mercier is charged.

That paper does not expressly deny the sovereignty of the United States of America, but it does assume, inconsistently with that sovereignty, that the United States are not altogether and for all purposes one sovereign power, but that this nation consists of two parties, of which this government is one. France proposes to take cognizance of both parties as belligerents, and for some purposes to hold communication with each. The instruction would advise us indeed that we must not be surprised if France shall address herself to a government which she says is to be installed at

Montgomery, for certain explanations. This intimation is conclusive in determining this government not to allow the instruction to be read to it.

The United States rightly jealous, as we think, of their sovereignty, cannot suffer themselves to debate any abridgement of that sovereignty with France or with any other nation. Much less can it consent that France shall announce to it a conclusion of her own against that sovereignty, which conclusion France has adopted without any previous conference with the United States on the subject. This government insists that the United States are one whole undivided nation, especially so far as foreign nations are concerned, and that France is, by the law of nations and by treaties, not a neutral power between two imaginary parties here, but a friend of the United States.

In the spirit of this understanding of the case, we are not only not wishing to seek or to give offence to France, but, on the contrary, we desire to preserve peace and friendship with that great power, as with all other nations. We do not feel at liberty to think, and do not think, that France intended any want of consideration towards the United States in directing that the instruction in question should be read to us. Outside of that paper we have abundant evidence of the good feeling and good wishes of the Emperor, and even his anxious solicitude for the same consummation which is the supreme object of our own desires and labors, namely, the preservation of the American Union in its full and absolute integrity.

Doubtless the proceeding has been the result of inadvertence. We feel ourselves at liberty to think that it would not have occurred if we had been so fortunate as to have been heard through you in the consultations of the French government. We think we can easily see how the inadvertence has occurred. France seems to have mistaken a mere casual and ephemeral insurrection here, such as is incidental in the experience of all nations, because all nations are merely human societies, such as have sometimes happened in the history of France herself, for a war which has flagrantly separated this nation into two co-existing political powers which are contending in arms against each other after the separation.

It is erroneous, so far as foreign nations are concerned, to suppose that any war exists in the United States. Certainly there cannot be two belligerent powers where there is no war. There is here, as there has always been, one political power, namely, the United States of America, competent to make war and peace, and conduct commerce and alliances with all foreign nations. There is none other, either in fact, or recognized by foreign nations. There is, indeed, an armed sedition seeking to overthrow the government, and the government is employing military and naval forces to repress it. But these facts do not constitute a war presenting two belligerent powers, and modifying the national character, rights, and responsibilities, or the characters, rights, and responsibilities of foreign nations. It is true that insurrection may ripen into revolution, and that revolution thus ripened may extinguish a previously existing State, or divide it into one or more independent States, and that if such States continue their strife after such division, then there exists a state of war affecting the characters, rights, and duties of all parties concerned. But this only happens when the revolution has run its successful course.

The French government says, in the instruction which has been tendered to us, that certain facts which it assumes confer upon the insurgents of this country, in the eyes of foreign powers, all the appearances of a government *de facto*, wherefore, whatever may be its regrets, the French government must consider the two contending parties as employing the forces at their disposal in conformity with the laws of war.

This statement assumes not only that the law of nations entitles any

insurrectionary faction, when it establishes a *de facto* government, to be treated as a belligerent, but also that the fact of the attainment of this status is to be determined by the appearance of it in the eyes of foreign nations. If we should concede both of these positions, we should still insist that the existence of a *de facto* government, entitled to belligerent rights, is not established in the present case. We have already heard from most of the foreign nations. There are only two which seem so to construe appearances, and France is one of them. Are the judgments of these two to outweigh those of all other nations? Doubtless each nation may judge and act for itself, but it certainly cannot expect the United States to accept its decision upon a question vital to their national existence. The United States will not refine upon the question when and how new nations are born out of existing nations. They are well aware that the rights of the States involve their duties and their destinies, and they hold those rights to be absolute as against all foreign nations. These rights do not at all depend on the appearances which their condition may assume in the eyes of foreign nations, whether strangers, neutrals, friends, or even allies. The United States will maintain and defend their sovereignty throughout the bounds of the republic, and they deem all other nations bound to respect that sovereignty until, if ever, Providence shall consent that it shall be successfully overthrown. Any system of public law or national morality that conflicts with this would resolve society, first in this hemisphere and then in the other, into anarchy and chaos.

This government is sensible of the importance of the step it takes in declining to hear the communication the tender of which has drawn out these explanations. It believes, however, that it need not disturb the good relations which have so long and so happily subsisted between the United States and France.

The paper, as understood, while implying a disposition on the part of France to accord belligerent rights to the insurgents, does not name, specify, or even indicate one such belligerent right. On the other hand, the rights which it asserts that France expects, as a neutral, from the United States, as a belligerent, are even less than this government, on the 25th of April, instructed you to concede and guaranty to her by treaty, as a friend. On that day we offered to her our adhesion to the declaration of Paris, which contains four propositions, namely: 1st. That privateering shall be abolished. 2d. That a neutral flag covers enemy's goods not contraband of war. 3d. That goods of a neutral, not contraband, shall not be confiscated though found in an enemy's vessel. 4th. That blockades, in order to be lawful, must be maintained by competent force. We have always, when at war, conceded the three last of these rights to neutrals, *a fortiori*, we could not when at peace deny them to friendly nations. The first-named concession was proposed on the grounds already mentioned. We are still ready to guarantee these rights, by convention with France, whenever she shall authorize either you or her minister here to enter into convention. There is no reservation or difficulty about their application in the present case. We hold all the citizens of the United States, loyal or disloyal, alike included by the law of nations and treaties; and we hold ourselves bound by the same obligations to see, so far as may be in our power, that all our citizens, whether maintaining this government or engaged in overthrowing it, respect those rights in favor of France and of every other friendly nation. In any case, not only shall we allow no privateer or national vessel to violate the rights of friendly nations as I have thus described them, but we shall also employ all our naval force to prevent the insurgents from violating them just as much as we do to prevent them from violating the laws of our own country.

What, then, does France claim of us that we do not accord to her? Nothing. What do we refuse to France by declining to receive the communication sent to us through the hands of Mr. Mercier? Nothing but the privilege of telling us that we are at war, when we maintain we are at peace, and that she is a neutral, when we prefer to recognize her as a friend.

Of course, it is understood that on this occasion we reserve, as on all others, our right to suppress the insurrection by naval as well as by military power, and for that purpose to close such of our ports as have fallen or may fall into the hands of the insurgents, either directly or in the more lenient and equitable form of a blockade, which for the present we have adopted. It is thus seen that there is no practical subject of difference between the two governments. The United States will hope that France will not think it necessary to adhere to and practice upon the speculation concerning the condition of our internal affairs which she has proposed to communicate to us. But however this may be, the United States will not anticipate any occasion for a change of the relations which, with scarcely any interruption, have existed between the two nations for three-quarters of a century, and have been very instrumental in promoting, not merely the prosperity and greatness of each State, but the cause of civil and religious liberty and free institutions throughout the world.

This government understands equally the interest of friendly nations and its own in the present emergency. If they shall not interfere, the attempt at revolution here will cease without inflicting serious evils upon foreign nations. All that they can do by any interference, with a view to modify our action, will only serve to prolong the present unpleasant condition of things, and possibly to produce results that would be as universally calamitous as they would be irretrievable.

The case, as it now stands, is the simple, ordinary one that has happened at all times and in all countries. A discontented domestic faction seeks foreign intervention to overthrow the Constitution and the liberties of its own country. Such intervention, if yielded, is ultimately disastrous to the cause it is designed to aid. Every uncorrupted nation, in its deliberate moments, prefers its own integrity, even with unbearable evils, to division through the power or influence of any foreign State. This is so in France. It is not less so in this country. Down deep in the heart of the American people—deeper than the love of trade, or of freedom—deeper than the attachment to any local or sectional interest, or partizan pride or individual ambition—deeper than any other sentiment—is that one out of which the Constitution of this Union arose, namely, American independence—independence of all foreign control, alliance, or influence. Next above it lies the conviction that neither peace, nor safety, nor public liberty, nor prosperity, nor greatness, nor empire, can be attained here with the sacrifice of the unity of the people of North America. Those who, in a frenzy of passion, are building expectations on other principles do not know what they are doing. Whenever one part of this Union shall be found assuming bonds of dependence or of fraternity towards any foreign people, to the exclusion of the sympathies of their native land, then, even if not before, that spirit will be reawakened which brought the States of this republic into existence, and which will preserve them united until the common destiny which it opened to them shall be fully and completely realized.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

[Extracts.]

No. 22.]

DEPARTMENT OF STATE,
Washington, June 22, 1861.

SIR:

* * * * *

Your answer to offers of service and of *materiel* of war seems to have been judicious. If the War Department should find need for the latter, it will commission proper agents. As for the former, the offers for military service, and by our own citizens, surpass equally our calls and our needs. Colonel Frémont's purchases are thankfully approved, and the drafts of yourself and Mr. Adams, mentioned by you, will be accepted. The President expresses great satisfaction with the promptness and decision manifested by you in the matter.

We wish to act singly and in good faith with the French government. We understand, and shall continue to understand, that France does not concede belligerent rights to the insurgents in contravention of our sovereignty. We shall insist that she does nothing adverse to our position, whatever may be *said* to the contrary.

She has proposed to tell us that she thinks the confederate States are entitled to belligerent rights. We have declined to hear that. We have not heard it. We shall continue to regard France as respecting our government, throughout the whole country, until she *practically acts in violation of her friendly obligations* to us, as we understand them. When she does *that*, it will be time enough to inquire whether, if we accede to the treaty of Paris, she could, after that, allow pirates upon our commerce shelter in her ports; and what our remedy then should be. We have no fear on this head.

We are dealing now as a nation at peace with France as a friend. We have told her that we shall not consent to her change of this relation.

She knows, distinctly, if she accepts our adhesion to the declaration of the congress of Paris, the ground on which it is given by us.

While saying this, however, we also confess that our solicitude on the subject is not so intense now, since the responsibility for the next step remains with France and not with us.

Still we wish you to act directly and frankly, being always ready to perform all we have offered.

This despatch is strictly confidential.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Mr. Dayton to Mr. Seward.

[Extracts.]

PARIS, June 22, 1861.

SIR: I have the honor to enclose to you a copy of the reply of Mr. Thouvenel to my proposition, on the part of the United States, to open negotiations for its accession to the treaty of Paris of 1856, according to the terms therein stated.

In our first conversation upon this subject, I understood from Mr. Thou-

venel that on a written proposition from me for negotiation he would address the other powers (parties to the treaty) upon the subject. That a note from me would afford him a starting point for communicating with such powers. Upon further reflection, or upon conference with his associates in the government, he now writes that it will be necessary that I address myself jointly (if I understood him rightly) to all the powers associated in that treaty, before my proposition can be considered.

Our condition as respects privateering and the belligerent rights conceded to the south has been so changed by the action of Great Britain, France and Spain, subsequent to the first declaration of Lord John Russell, (stating that such belligerent rights would be conceded,) that I know not what may be the views of the government of the United States at this time as respects an accession to the treaty of 1856, pure and simple. But as I have learned that nothing substantially has been done in that direction at other points, and I do not see that the interests of the country will be jeopardized by a little delay, I shall await further instructions upon this subject. My first despatch referring to this matter was dated 22d of May last, and I doubt not I shall now receive an answer at an early day. If the government of the United States shall, in view of the circumstances, direct me to make the proposition to the French government to accede to the Paris treaty, pure and simple, I will, acting under such express direction, lose no time in making the proposition. * * * * *

With high consideration, I am yours, very truly,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 14.]

PARIS, June 28, 1861.

SIR: Your despatches (Nos. 13 and 14) are duly received. The copy of your letter to Lord Lyons, recognizing the rights of neutrals to property taken in vessels of the insurgents, will be communicated on the first opportunity to Mr. Thouvenel. This will relieve any doubts the French government may have had heretofore on this subject.

* * * The Emperor and most of the ministers being in the country, and the legislative chambers about to adjourn, there is little probability of anything of interest occurring here at an early day, unless something shall occur in America which shall give rise to it.

With much respect, I am yours, very truly,

WM. L. DAYTON

Hon. WM. H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Dayton.

[Extracts.]

No. 26.]

DEPARTMENT OF STATE,
Washington, July 6, 1861.

SIR: Your despatch No. 11, dated on the — day of June ultimo, has been received.

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*	*	*	*	*	*

The President is highly gratified by the disposition which Mr. Thouvenel has made of the application of the agents of the insurrectionists for recognition of their pretended revolution. What you have reported to us in this respect is happily confirmed in even more emphatic language by the communication which Mr. Mercier has made to us to-day under instructions from his government.

We are pleased that you called Mr. Thouvenel's attention to the mischievous paragraph in the *Moniteur*, because it has drawn out renewed and most satisfactory assurances of the friendly feelings and good wishes of the government of France. At the same time, it is but just to ourselves that you shall now inform Mr. Thouvenel that it is our settled habit never to overhear what the press, or the ministers, or even the monarch of a foreign country with which we are in amity, says concerning us, and never to ask any explanations so long as such observations are not directly communicated by the government itself to us, and it, at the same time, discharges all its customary functions without hostility or injury to us. Our reasons for this are that we know, first, there are state necessities which do not always permit, in any country, the practice of entire frankness concerning foreign questions; secondly, that unguarded and inconsiderate expressions, even by persons in high authority, ought not to disturb established and harmonious relations between friendly nations; and, thirdly, that we know that the maintenance of our rights and character depend, as they ought, chiefly on our own fidelity to ourselves, and very little on the favorable opinion of even the most candid and liberal nations. Friendship towards, and confidence in, the good will of France towards us are settled habits of mind on the part of the American people. If anything is hastily written or spoken on either side that would seem to indicate a different sentiment, it is wise to let it pass without sensibility, and certainly without querulous animadversion.

Mr. Burlingame will, before this time, have been advised of his appointment as minister to China. His delay at Paris is approved in consideration of the peculiar circumstances of the case.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 27.]

DEPARTMENT OF STATE,
Washington, July 6, 1861.

SIR: Your despatch No. 12 (dated June 22) has been received. It relates to our proposition for accession to the declaration of Paris. This

affair has become very much complicated, by reason of the irregular and extraordinary proceeding of the French government in proposing to take notice of the domestic disturbance which has occurred in this country. I do not know that even now I can clear the matter up effectually without knowing what may be the result of the communication which, in my despatch No. 19, I instructed you to make to the French government. I will try, nevertheless, to do so. The instructions contained in my despatch No. 4, dated 24th of April last, required you to tender to the French government, without delay, our adhesion to the declaration of the congress of Paris, pure and simple.

The reason why we wished it done immediately was, that we supposed the French government would naturally feel a deep anxiety about the safety of their commerce, threatened distinctly with privateering by the insurgents, while at the same time, as this government had heretofore persistently declined to relinquish the right of issuing letters of marque, it would be apprehended by France that we too should take up that form of maritime warfare in the present domestic controversy. We apprehended that the danger of such a case of depredation upon commerce equally by the government itself, and by its enemies, would operate as a provocation to France and other commercial nations to recognize the insurrectionary party in violation of our national rights and sovereignty. On the contrary, we did not desire to depredate on friendly commerce ourselves, and we thought it our duty to prevent such depredations by the insurgents by executing our own laws, which make privateering by disloyal citizens piracy, and punish its pursuit as such. We thought it wise, just, and prudent to give, unasked, guarantees to France and other friendly nations for the security of their commerce from exposure to such depredations on either side, at the very moment when we were delivering to them our protest against the recognition of the insurgents. The accession to the declaration of Paris would be the form in which these guarantees could be given—that for obvious reasons must be more unobjectionable to France and to other commercial nations than any other. It was safe on our part, because we tendered it, of course, as the act of this federal government, to be obligatory equally upon disloyal as upon loyal citizens.

The instructions waived the Marcy amendment, (which proposed to exempt private property from confiscation in maritime war,) and required you to propose our accession to the declaration of the congress of Paris, pure and simple. These were the reasons for this course, namely: First. It was as well understood by this government then, as it is now by yourself, that an article of that celebrated declaration prohibits every one of the parties to it from negotiating upon the subject of neutral rights in maritime warfare with any nation not a party to it, except for the adhesion of such outstanding party to the declaration of the congress of Paris, pure and simple. An attempt to obtain an acceptance of Mr. Marcy's amendment would require a negotiation not merely with France alone, but with all the other original parties of the congress of Paris, and every government that has since acceded to the declaration. Nay, more: we must obtain their unanimous consent to the amendment before being able to commit ourselves or to engage any other nation, however well disposed, to commit itself to us on the propositions actually contained in the declaration. On the other hand, each nation which is a party to the declaration of Paris is at liberty to stipulate singly with us for acceptance of that declaration for the government of our neutral relations. If, therefore, we should waive the Marcy proposition, or leave it for ultimate consideration, we could establish a complete agreement between ourselves and France on a subject which, if it should be left open,

might produce consequences very much to be deprecated. It is almost unnecessary to say that what we proposed to France was equally and simultaneously proposed to every other maritime power. In this way we expected to remove every cause that any foreign power could have for the recognition of the insurgents as a belligerent power.

The matter stood in this plain and intelligible way until certain declarations or expressions of the French government induced you to believe that they would recognize and treat the insurgents as a distinct national power for belligerent purposes. It was not altogether unreasonable that you, being at Paris, should suppose that this government would think itself obliged to acquiesce in such a course by the government of France. So assuming, you thought that we would not adhere to our proposition to accede to the declaration, pure and simple, since such a course would, as you thought, be effective to bind this government without binding the insurgents, and would leave France at liberty to hold us bound, and the insurgents free from the obligations created by our adhesion. Moreover, if we correctly understand your despatch on that subject, you supposed that you might propose our adhesion to the treaty of Paris, not pure and simple, but with the addition of the Marcy proposition in the first instance, and might afterwards, in case of its being declined in that form, withdraw the addition, and then propose our accession to the declaration of Paris, pure and simple.

While you were acting on these views on your side of the Atlantic, we on this side, not less confident in our strength than in our rights, as you are now aware, were acting on another view, which is altogether different, namely, that we shall not acquiesce in any declaration of the government of France that assumes that this government is not now, as it always has been, exclusive sovereign, for war as well as for peace, within the States and Territories of the federal Union, and over all citizens, the disloyal and loyal all alike. We treat in that character, which is our legal character, or we do not treat at all, and we in no way consent to compromise that character in the least degree; we do not even suffer this character to become the subject of discussion. Good faith and honor, as well as the same expediency which prompted the proffer of our accession to the declaration of Paris, pure and simple, in the first instance, now require us to adhere to that proposition and abide by it; and we do adhere to it, not, however, as a divided, but as an undivided nation. The proposition is tendered to France not as a neutral but as a friend, and the agreement is to be obligatory upon the United States and France and all their legal dependencies just alike.

The case was peculiar, and in the aspect in which it presented itself to you portentous. We were content that you might risk the experiment, so, however, that you should not bring any responsibility for delay upon this government. But you now see that by incorporating the Marcy amendment in your proposition, you have encountered the very difficulty which was at first foreseen by us. The following nations are parties to the declaration of Paris, namely: Baden, Bavaria, Belgium, Bremen, Brazils, Duchy of Brunswick, Chili, the Argentine Confederation, the Germanic Confederation, Denmark, the two Sicilies, the Republic of the Equator, the Roman States, Greece, Guatemala, Hayti, Hamburgh, Hanover, the two Hesses, Lubeck, Mecklenburgh Strelitz, Mecklenburgh Schwerin, Nassau, Oldenburgh, Parma, Holland, Peru, Portugal, Saxony, Saxe Altenburgh, Saxe Coburg Gotha, Saxe Meiningen, Saxe Weimar, Sweden, Switzerland, Tuscany, Wurtemberg, Anhalt Dessau, Modena, New Granada, and Uruguay.

The great exigency in our affairs will have passed away—for preservation or destruction of the American Union—before we could bring all these nations to unanimity on the subject, as you have submitted it to Mr. Thouvenel. It is a time not for propagandism, but for energetic acting to arrest the worst of all national calamities. We therefore expect you now to renew the proposition in the form originally prescribed. But in doing this you will neither unnecessarily raise a question about the character in which this government acts, (being exclusive sovereign,) nor, on the other hand, in any way compromise that character in any degree. Whenever such a question occurs to hinder you, let it come up from the other party in the negotiation. It will be time then to stop and wait for such further instructions as the new exigency may require.

One word more. You will, in any case, avow our preference for the proposition with the Marcy amendment incorporated, and will assure the government of France that whenever there shall be any hope for the adoption of that beneficent feature by the necessary parties, as a principle of the law of nations, we shall be ready not only to agree to it, but even to propose it, and to lead in the necessary negotiations.

This paper is, in one view, a conversation merely between yourself and us. It is not to be made public. On the other hand, we confide in your discretion to make such explanations as will relieve yourself of embarrassments, and this government of any suspicion of inconsistency or indirection in its intercourse with the enlightened and friendly government of France.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 15.]

PARIS, July 5, 1861.

SIR:

* * * * *

Since writing the above I have received your despatches, Nos. 12, 19, and 20. I infer, from the contents of No. 19, that Mr. Mercier is aware of your original instructions to me on the subject of an accession to the treaty of Paris of 1856, and that you hold yourself open to negotiate with him there on that subject. As Mr. Adams has referred this question back to be treated of at Washington, and it is evident, I think, that Great Britain and France will act upon advisement at least with each other, it seems to me that it will be more convenient, in every respect, that you should take charge of the whole question at Washington, rather than have it dealt with by different persons, at the same time, each ignorant to a great extent of the action of the other. Besides, it is due to frankness to say that, if a convention is to be negotiated for an accession by the United States to the treaty of Paris, without amendment to the first clause, I would prefer it should be done at Washington rather than Paris. Still, I hold myself subject to the orders of the government in this as in other matters. I have already said I should await further instructions from your department on this subject.

With much respect, I have the honor to be, truly yours,

WILLIAM L. DAYTON.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 21.]

PARIS, July 22, 1861.

SIR: Your despatches, Nos. 24 and 25, are duly received. Despatches 19, 22, and 24, treat in whole or in part of the same general matter.

I have read despatch No. 19 with great interest. It had not occurred to me that you might deny to France and Great Britain an official reading of their despatches which announced to our government their concession of belligerent rights to the south; or that, if you should do so, it would alter the relations of parties to the question. If it has that effect diplomatically, or relieves you from noticing their position, you were certainly right. Indeed, I cannot see how, upon the ground that you put the matter, France has just cause of offence. You say merely you want no notice of a *purpose* by her to do what you consider an unfriendly act; that you will wait until the act is done before you choose to notice it; that, in other words, you choose to consider her as a friend until she shows herself by acts, not words, to be the contrary. * * * *

The reasons assigned for your course you say I may communicate to the French government if I "shall find it necessary or expedient." I shall not fail to avail myself of this authority upon the earliest opportunity which shall be afforded for doing so. The just reasoning and friendly tone of your despatch will be invaluable for justification of your course and the prevention of difficulties. Unless, however, they refer to your action or make it a subject of complaint, it is, I suppose, not expedient for me to volunteer explanations. I was much surprised by one fact found in the despatch from the French government left with you for an informal reading, to wit: that you must not be surprised if France should address herself to a government which she says is to be installed at Montgomery for certain explanations. I could not have anticipated, from what had been said to me here, that such a course was in contemplation. Should they adopt it, the act would seem to me to approximate a recognition in this instance of the southern government more nearly than anything that has yet occurred. In that event, your future course will, no doubt, be guided by that wisdom which is so essential to carry us through the troubles of our present position. * * *

With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

HON. WM. H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Dayton.

[Extract.]

No. 30.]

DEPARTMENT OF STATE,
Washington, July 26, 1861.

SIR: * * * *

The President is not impatient about the negotiations concerning neutral rights. We trust that we have kept our own position right and clear.

You will probably find some anxiety on the part of the French government concerning a law which has passed Congress authorizing the President

to close the ports held by the insurgents. I send you a copy of my instructions to Mr. Adams on that subject, which you will receive for your own government in that matter.

* * * * *

I am, &c.,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

[Extract.]

No. 31.]

DEPARTMENT OF STATE,
Washington, July 30, 1861.

SIR: * * * * *

You will receive the account of a deplorable reverse of our arms at Manassas. For a week or two that event will elate the friends of the insurgents in Europe as it confounded and bewildered the friends of the Union here for two or three days. The shock, however, has passed away, producing no other results than a resolution stronger and deeper than ever to maintain the Union, and a prompt and effective augmentation of the forces for that end exceeding what would otherwise have been possible. The heart of the country is sound. Its temper is now more favorable to the counsels of de- liberation and wisdom.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 22.]

PARIS, July 30, 1861.

SIR: On the 21st of this month I received a note from Mr. Adams, a copy of which, marked A, is hereunto annexed, apprising me that, under renewed instructions from the government at Washington, he had proposed to the British government, on the 11th of this month, to negotiate on the basis of the project which had been transmitted to him soon after his arrival at London, touching the four points of the declaration of the convention at Paris in 1856, and inquiring whether I felt empowered and disposed to remove the obstacle of delay by entering at once into an arrangement for simultaneous action with the Emperor of the French. Accompanying his note was the copy of a communication from Lord John Russell, dated July 18, 1861, of which I send a copy, (though I doubt not Mr. Adams has anticipated me in doing so.) Feeling the great importance of this matter, and mindful of your request that we should confer together when we could, I immediately went over to London.

I found, by the date of your renewed instructions to Mr. Adams, that you did not intend the negotiation upon this question should be conducted at Washington, but that it should be done on this side; and further, that with a full knowledge of all the facts, the original purpose of acceding to the treaty of Paris of 1856 was adhered to. Under these circumstances, I felt it my duty to say to Mr. Adams that there need be no delay on my account.

To facilitate matters, while I was yet in London I made to him, in writing, a communication to that effect, of which I send you a copy, marked B.

You will observe that I ask Mr. Adams, in this communication, whether Great Britain has, at his instance, or otherwise, considered the Marcy amendment? This was done after conference with him, and after he had told me what would be his answer. He said that after I had made the proposition here it was considered at London, and Lord John Russell, upon his (Mr. Adams) suggesting this amendment to the treaty there, said at once that the principle was inadmissible; that the British government would not assent to it. This answer I thought it most desirable we should have on record, and therefore made a suggestion in my note which Mr. Adams said he would adopt. Great Britain, so far as I know, never has, before this, distinctly placed herself on record against the adoption of that humane and noble principle as a provision of maritime law.

I was much gratified that I had gone over to London. I felt a sense of relief in conferring with Mr. Adams upon questions of so much importance, and got knowledge of some facts of which I had no knowledge before. I was in England but two days, and then returned immediately to Paris. I missed, however, the mail by the steamer of last week, which I much regretted.

With much respect, your obedient servant,

WM. L. DAYTON.

His Excellency Wm. H. SEWARD.

FOREIGN OFFICE, *July 18, 1861.*

SIR: Upon considering your proposition of Saturday last I have two remarks to make:

1. The course hitherto followed has been a simple notification of adherence to the declaration of Paris by those states which were not originally parties to it.

2. The declaration of Paris was one embracing various powers, with a view to general concurrence upon questions of maritime law, and not an insulated engagement between two powers only.

Her Majesty's government are willing to waive entirely any objection on the first of these heads, and to accept the form which the government of the United States prefers.

With regard to the second, her Majesty's government are of opinion that they should be assured that the United States are ready to enter into a similar engagement with France, and with other maritime powers, who are parties to the declaration of Paris, and do not propose to make singly and separately a convention with Great Britain only.

But as much time might be required for separate communications between the government of the United States and all the maritime powers who were parties to or have acceded to the declaration of Paris, her Majesty's government would deem themselves authorized to advise the Queen to conclude a convention on this subject with the President of the United States so soon as they shall have been informed that a similar convention has been agreed upon, and is ready for signature, between the President of the United States and the Emperor of the French, so that the two conventions might be signed simultaneously and on the same day.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

B.

LONDON, *July 25, 1861.*

SIR: Yours of the 19th instant, enclosing a copy of Lord John Russell's of the 18th instant, was duly received by me at Paris. My powers to negotiate with France an accession by the United States to the treaty of Paris of 1856 are of the same general character as your own. Under those powers and the instructions received by me from Washington I did propose such accession to the government of France, but with an addition to the first clause of the following words: "And the private property of subjects or citizens of one of the belligerents shall not be seized, upon the high seas, by the vessels of war of the other belligerents, unless it may be contraband of war." To this proposition I received an answer from the French minister of foreign affairs, dated June 20, 1861, the substance of which was that the French government declined to consider the proposition (inasmuch as it differed from the provisions of the treaty of Paris) unless it was addressed to all the powers who were parties to that convention. In the meantime I saw it stated in the public press of Europe that the British, French, Spanish, and Belgian governments had made a declaration of their intentions as respects their conduct towards the United States government and the insurgents of the south, and I was not certain whether our government would desire, under the circumstances, that the proposition to accede to the treaty in question, without the amendment, should be made.

Your renewed instructions to proceed on the basis of that treaty are subsequent to and with a full knowledge by our government of the facts hereinbefore stated.

Under these circumstances, therefore, I feel authorized and required to proceed without further delay. Before, however, I shall communicate further with the French government, I wish to know whether Great Britain has, at your instance, or otherwise, considered the amendment of the treaty hereinbefore referred to. Before abandoning the hope of obtaining the incorporation, in our code of maritime law, of that great and humane principle, it seems to me desirable that we should have distinct assurance that the principle will not be admitted. I do not recollect that Great Britain has any time, heretofore, answered distinctly, if at all, upon that proposition, but seems rather to have avoided it. I think it desirable that that answer should be of record, (either in a note from or to you,) so that the responsibility may attach, through all time, where it properly belongs.

Immediately upon the receipt of your answer I will enclose a copy of your notes, in connexion with that from Lord John Russell to the French government, and, as soon as heard from, advise you of its reply.

Respectfully, your obedient servant,

WM. L. DAYTON.

His Excellency CHAS. F. ADAMS.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 24.]

PARIS, *August 2, 1861.*

SIR: Your despatch No. 27 was not received by me until after my return from London.

By my note to Mr. Adams, written in London, and to be found in de-

spatch No. 22, you will find your instructions were anticipated by my action; that immediately upon learning, from a reliable source, what were the views of the government in regard to an accession to the treaty of Paris, expressed with full knowledge of facts occurring since its original instructions to me, I at once took measures to comply with them, without attempting to balance the suggestions of my own mind against its known wishes. But I confess that in a matter of such grave importance as an accession by the United States to that treaty, I did want those wishes distinctly expressed with full knowledge of the facts. You will observe, by the copy of a communication to the minister of foreign affairs, (marked A,) and hereunto annexed, that I have already moved in the matter here.

* * * * *

With much respect, I have the honor to be your obedient servant,
WM. L. DAYTON.

HON. WILLIAM H. SEWARD,
Secretary of State.

A.

PARIS, *August 2, 1861.*

SIR: I had the honor to inform your excellency some time since that I was authorized, upon the part of the United States, to treat with any person or persons authorized by the Emperor concerning the principles of maritime law which affect neutral and belligerent rights at sea, and other matters connected therewith, of interest to the two nations, and on the 31st of May last proposed to your excellency an accession by the United States to the treaty of Paris of 1856, with certain words of addition thereto.

Under date of 26th of June last I received a reply from your excellency stating that the protocols of the congress of Paris impose upon all the powers who signed the declaration of the 16th of April the obligation not to negotiate, separately, upon the application of maritime rights in time of war, any arrangement which differed from the declaration resolved upon in common, and that, as a consequence, it would be necessary that my offer include the other powers signing the declaration before it would be considered.

At the time the foregoing offer was made I had some reason to believe that it might be accepted by all the powers who negotiated that treaty, but subsequent information (the nature of which I have explained to you) has satisfied me that this was an error.

The government of the United States would have preferred the incorporation in the treaty of the amendment before referred to; and when there shall be any hope for the adoption of that beneficent feature by the necessary parties as a principle of the law of nations, the United States will not only be ready to agree to it, but even to propose it, and to lead in the necessary negotiations.

Under existing circumstances I am satisfied that I would not be justified in further delaying negotiations for an accession by the United States to the treaty of Paris of 1856, in the vain hope that the amendment in question, if proposed to all the powers, would, at present, be accepted. I have the honor, therefore, to apprise your excellency that I am prepared, on the part of the government of the United States, and hereby propose to your excellency, to enter into a convention with the Emperor of the French for

accession by the United States to the "declaration concerning maritime law" adopted by the plenipotentiaries of France, Great Britain, Austria, Prussia, Russia, Sardinia, and Turkey, at Paris, on the 16th of April, 1856, and that I have special authority for this purpose from the President of the United States, dated 26th of April last, which I shall be happy to submit to your excellency. I beg likewise, in this connexion, to say to your excellency that a like proposition has been made by Mr. Adams to her Britannic Majesty, and herewith I deem it proper to enclose you a copy of the reply of Lord John Russell.

With much respect, I have the honor to be your very obedient servant,
WM. L. DAYTON.

MONSIEUR LE MINISTRE.

Mr. Seward to Mr. Dayton.

[Confidential]

No. 41.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: I send you a copy of a despatch, which is this day sent to Mr. Adams, concerning the negotiations with Great Britain for the melioration of international law relating to the rights of neutrals in maritime war.

You will, of course, wait in your negotiations, at Paris, until the result of the explanations, which Mr. Adams is instructed to ask, shall have been received and duly considered. There is reason, however, to expect that the delay which thus becomes necessary will be moved for by Mr. Thouvenel himself when he shall have become advised of the new and singular position assumed by Lord John Russell.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

[Extract]

No. 42.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: * * * * *

You will learn from a distinct despatch, No. 41, which accompanies or which will soon follow this, that our negotiation in England has taken a new phase, which, of course, will soon present itself in discussion with the French government.

Treason was emboldened by its partial success at Manassas, but the Union now grows manifestly stronger every day. Let us see how Great Britain will explain.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 46.]

DEPARTMENT OF STATE,
Washington, August 19, 1861.

SIR: Your despatch No. 22, under the date of July 30, has been received. It relates to an interview, and is accompanied by a correspondence between yourself and Mr. Adams.

Your proceedings and your letter are deemed judicious, and are fully approved.

In communications which have preceded this I have already said all that the despatch now before me seems to require.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 29.]

PARIS, August 19, 1861.

SIR: I have the honor to acknowledge the receipt of despatches Nos. 29, 30, and 31.

* * * * *

Your despatch No. 30 includes copies of despatches 42 and 46 to Mr. Adams. These are of great interest, as they affect the question of our blockade of the southern ports. I never think it wise to volunteer a subject out of which complaints may arise before they are brought to my notice by the party likely to complain; but should occasion arise, I shall avail myself fully of the views suggested by you as to the purpose and object of the late act of Congress authorizing the President to close the ports by proclamation. But I very much fear that difficulties will grow up between us and Great Britain and France upon this question. Unless the ports are hermetically sealed by blockade, not by proclamation—if these countries get short of cotton, and we are *not ourselves in possession of the interior*—excuses enough will be made for breaking the blockade. The tone of the public press here indicates this; the private conversation of public men indicate it.

* * * * *

With much respect, your obedient servant,

WILLIAM L. DAYTON.

WILLIAM H. SEWARD, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 31.]

PARIS, August 19, 1861.

SIR: On Thursday of last week I was informed by Lord Cowley that Mr. Adams and Lord John Russell had agreed upon the text of a convention in respect to maritime rights, &c. On the following day a copy of this convention was sent to me by Lord Cowley. I find it substantially, if not

literally, the same as that which you enclosed to me, and directed me to execute. I am to see Mr. Thouvenel upon the subject by appointment to-morrow. Unless something shall occur, altering the existing condition of things, this convention will doubtless be executed at an early day. Your despatch No. 80 says, "the President is not impatient about the negotiations concerning neutral rights," but your prior despatches and the action of Mr. Adams have put any considerable delay out of my power. Besides, if the treaty is to be executed, whether it be done a few days or weeks earlier or later is, perhaps, not very important. I have felt much relieved in this negotiation by the specific character of my instructions.

With great respect, I have the honor to be your obedient servant,

WILLIAM L. DAYTON.

The Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 35.]

PARIS, August 22, 1861.

SIR: My anticipations expressed in despatch No. 10 are fully realized. Both Lord John Russell and Mr. Thouvenel refuse to negotiate for an accession by the United States to the treaty of Paris of 1856, except on the distinct understanding that it is to have no bearing, directly or indirectly, on the question of our southern or domestic difficulty, and to render the matter certain they each propose to make a written declaration simultaneous with the execution of the convention, of which I herewith send you a copy and a translation. I likewise send you a copy of Mr. Thouvenel's note to me with its translation.

I had an interview on Tuesday, the 20th instant, with Mr. Thouvenel by appointment in reference to the subject-matter of the convention, and then he gave me the first notice of the purpose of the French government to execute this outside declaration, predicated as it was, beyond all doubt, upon a note he had just received from Lord John Russell, dated only the day preceding. He said that both France and Great Britain had already announced that they would take no part in our domestic controversy, and they thought that a frank and open declaration in advance of the execution of this convention might save difficulty and misconception hereafter. He further said, in the way of specification, that the provisions of the treaty standing alone might bind England and France to pursue and punish the privateers of the south as pirates. That they were unwilling to do this, and had already so declared. He said that we could deal with these people as we chose, and they could only express their regrets on the score of humanity if we should deal with them as pirates, but they could not participate in such a course. He said, further, that although both England and France were anxious to have the adhesion of the United States to the declaration of Paris, that they would rather dispense with it altogether than be drawn into our domestic controversy. He insisted somewhat pointedly that I could take no just exception to this outside declaration, simultaneous with the execution of the convention, unless we intended they should be made parties to our controversy; and that the very fact of my hesitation was an additional reason why they should insist upon making such contemporaneous declaration. These are the general views expressed by him.

In answer, I assented at once to the propriety of such declaration being made in advance *if France and England did not mean to abide by the terms of*

the treaty. I stated that I had no reason to suppose that the United States desired to embroil these countries in our domestic difficulties—that in point of fact our great desire had been that they should keep out of them; but they proposed now to make a declaration to accompany the execution of the convention which they admitted would vary its obligations. That my instructions were to negotiate that convention, and that I had no authority to do anything or listen to anything which would waive any rights or relieve from any obligation which might fairly arise from a just construction of its terms. He said they did not mean to alter its terms, that it was not like an addition of other provisions to the terms of the treaty itself. To this I replied, that for the purpose intended, it was precisely the same as if this declaration they proposed to make were to be incorporated into the treaty itself. That its effect was to relieve them (without complaint on our part) from compliance with one of the admitted obligations of the treaty. I then told him I would consult with Mr. Adams, and it was not improbable that we might feel ourselves under the necessity of referring again to our government, to which he answered that that must be a question for us to determine. In the course of our conversation I told him that any declaration or action which looked to or recognized a difference or distinction between the north and south was a matter upon which our government was, under the circumstances, peculiarly sensitive. That we treated with foreign governments for our whole country, north and south, and for all its citizens, whether true men or rebels, and when we could not so treat, we would cease to treat at all. He answered that they did not mean to contest our right to treat for the whole country, and that was not the purpose of the outside declaration they proposed to make; but having heretofore adopted a course of strict neutrality, the declaration in question was right and proper to prevent misconception and controversy in the future.

After my conference with Mr. Thouvenel closed, I immediately wrote to Mr. Adams, and suggested to him the propriety of either referring again to our government for instructions, or, if he thought that such reference would involve any unnecessary delay, then, at least, that at the time of executing the convention (if it were executed) we should in like manner make a counter declaration in writing, stating, in substance, that "we have no power to admit, and do not mean to admit, that this outside declaration by Great Britain and France is to relieve them, directly or indirectly, from any obligation or duty which would otherwise devolve upon them in virtue of said convention."

I have felt constrained to make these suggestions to Mr. Adams, for I am unwilling to act affirmatively in a matter of so much importance without being clearly within my instructions. I shall await his answer before I communicate further with the French government.

With much respect, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c.

[Translation.]

PARIS, August 20, 1861.

SIR: I have the honor to communicate to you the text of the written declaration that I propose to myself to make, and of which I will take care to remit to you a copy, at the moment of the signing of the convention

designed to render obligatory between France and the United States the principles upon maritime rights proclaimed by the congress of Paris. This declaration has for its object, as you will see, to prevent all misunderstanding upon the nature of the engagements which the government of the Emperor is disposed to contract.

If you were ready to sign the convention contemplated, we might be able to agree to make it the same day when Lord Russell should proceed from his side to the signing of a similar act with Mr. Adams.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. DAYTON,
Minister of the United States at Paris.

[Translation.]

Draft of declaration.

In affixing his signature to the convention concluded in date of this day between France and the United States, the undersigned declares, in execution of the orders of the Emperor, that the government of his Majesty does not intend to undertake, by the said convention, any engagement of a nature to implicate it, directly or indirectly, in the internal conflict now existing in the United States.

Mr. Dayton to Mr. Seward.

No. 37.]

PARIS, August 29, 1861.

SIR: Herewith I beg to enclose a copy of a communication made by me to Mr. Thouvenel, in answer to his formal notice of a purpose on the part of the French government to make an outside declaration of its intentions at the time of the execution of the treaty, copies of which were enclosed in despatch No. 35.

It is in part the same matter suggested to him by me in the conference in which he first notified me of his purpose. His written communication subsequent to that conference required a like formal reply. I am happy to learn from a communication received from Mr. Adams that he concurs with me in the propriety of stopping the negotiation where it is, and referring the matter to the government at home. I should have been most reluctant, under the circumstances, to execute this convention, had Mr. Adams insisted upon it, making only a counter declaration, such as was referred to in despatch No. 35; but I was very desirous, after what had passed, not to be considered an obstacle in the way of carrying out the wishes of the administration. I doubt now, however, if England and France would themselves have assented to proceed with the execution of the convention in the face of such declaration.

With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c.

Mr. Dayton to Mr. Thouvenel.

LEGATION OF THE UNITED STATES,
Paris, August 26, 1861.

MONSIEUR LE MINISTRE : I have the honor to acknowledge the receipt of your communication of the 20th instant, in which (carrying out the purpose expressed by you in our prior conversation of that day) you communicate to me the text of a written declaration which you propose to make simultaneous with the execution of the convention between the United States and France, in reference to the principles upon maritime rights proclaimed by the Congress of Paris in 1856. You further suggest in your note that if I were ready to sign the convention contemplated, we might be able to agree to do so the same day when Lord Russell should proceed, on his side, to the signing of a like convention with Mr. Adams.

The declaration which you propose to make in writing, simultaneous with the execution of the convention, has for its object, you say, "to prevent all misunderstanding as to the nature of the engagements which the government of the Emperor is disposed to contract," and this declaration is, that "in the execution of the orders of the Emperor the government of his Majesty does not intend to undertake, by said convention, any engagements of a nature to implicate it directly or indirectly in the internal conflict now existing in the United States."

My impressions, hastily thrown out when this proposition was verbally suggested, have been strengthened by subsequent reflection. I do not stop to inquire how such outside declaration as you propose may affect the rights or obligations of parties under the treaty. Indeed, it is so general that it may not be possible to anticipate its entire scope or operation. It gives us notice that the engagements of your government are not to be "*of a nature to implicate it directly or indirectly in the internal conflict,*" &c. It may be that the conduct of the government of France, under this declaration, would practically extend no further than would be agreeable to the United States; yet I cannot act upon such assumption. My instructions are to negotiate a particular convention, the text of which has been examined and approved, as I understand, by your excellency. If the declaration which you propose to make does not alter the obligations or duties which would otherwise devolve upon France, in virtue of that convention, it is useless to make it. If it does alter such obligations or duties, then I am not authorized to execute the convention subject to such declaration. This, indeed, so far as my action at present is concerned, is the whole case. But the subject justifies, and perhaps requires some other remarks. You stated that you thought it more frank and loyal to make your declaration in advance, and in this I entirely concurred. If the treaty without such declaration would impose any duty upon France which she would be unwilling to perform, it was manifestly proper that she should declare her purpose in advance. It was proper, not only for the purpose of preventing misunderstanding as to the nature of her intended engagements, but for the other purposes of leaving to the United States the option of determining, with full knowledge, whether she would or would not enter into the treaty subject to such declaration. The declaration, it is true, is not strictly a part of the treaty, yet, for the purpose intended, its effect and operation would be the same as if it were incorporated into the treaty itself. It will prevent misunderstandings as to the nature of the engagements, or, in other words, it will prevent one party complaining of a non-performance of supposed engagements by the other under the treaty, just as effectively as if it were a condition added to the treaty itself. But for the interposition of this declaration I should have

assented to the execution of the treaty at once; as it is, I have no power to do so.

From this it must not be inferred that there is now, or at any time has been, the slightest wish upon the part of the United States to involve France or any other foreign government in its domestic controversy. The wish, nay, stronger than this, the *right* to be let alone by other nations, has been claimed at all times, so far as I know, by our government and its representatives abroad. They have never failed to deprecate, in the most earnest manner, all interference in this question upon the part of foreign powers. Yet the declaration which it is now proposed to make would seem to imply that such interference might be claimed by us at the hands of those powers with whom such treaty might be made. I submit, with great respect, that there is nothing in the present position of the United States, or in the past history of this negotiation, which would justify such an inference. When the present administration at Washington came into power it almost immediately gave orders to its representatives abroad to open negotiations upon this general subject; not, it is to be assumed, for any small purpose or object growing out of what they then believed to be a mere temporary insurrection, but with a view to the settlement, so far as their assent could settle the same, of certain great principles of maritime law.

The second and third of those principles, enunciated in the declaration of Paris, has been already proposed and urged upon the attention of other nations by the United States.

The fourth of those principles, which requires that blockades to be respected shall be effective, had never been denied (at least by the United States) as a principle of international or maritime law. It was the first only of the points enunciated in that celebrated declaration about which hesitation existed.

The abandonment of the right, by belligerents, to issue letters of marque and reprisal, under proper restraints, was a serious matter to a country having the extended commerce and limited navy of the United States; yet such abandonment by all nations would, we well knew, tend much to lessen the afflictions incident to war; and so, too, the exemption of property of non-combatants at sea, (except contraband,) as it is on land, would, in a still greater degree, tend to the same end.

Hence the disposition manifested on the part of the United States, on every proper occasion, to connect in its negotiations the two; to make the concession of the one the equivalent, if possible, of the concession of the other. This was the condition of things when the present administration at Washington came into power. Not trammelled by certain considerations which had affected some of their predecessors, they immediately took up the negotiation where it had been left by a prior administration. Ascertaining definitely that the exemption of private property afloat (except contraband) would not be conceded by *all* the powers, they assented at once to the execution of a convention, adopting the four principles of the declaration of Paris as they are, without addition and without limitation.

For the first time, we were informed that the government of his Majesty the Emperor (in connexion with that of her Britannic Majesty) only execute such convention subject to a certain condition, which it reserves for itself, and of the extent and operation of which it is itself to

not, of course, anticipate with certainty what view the government of the United States may take of this question, but I can scarcely suppose assent to the execution of a convention adopting the declaration of Paris except upon terms of entire reciprocity, and subject to no other conditions than those existing by and between the original parties; nor do I believe

that it will, in its negotiations with foreign governments, at all assent to exceptions and reservations, verbal or written, predicated upon the existing state of things in that country. It will, I apprehend, exact no more and be content with no less than it would have been entitled to had the convention been executed in advance of its present internal controversy. If, therefore, the government of France shall consider that an unconditional execution of that convention will demand of it interference in our affairs, or will implicate it in any shape in the civil war now raging in our country, then it is obvious this is not a proper time for her or for us to enter into such agreements.

But these suggestions are made, of course, subject to correction from the government at Washington. To it I shall at once refer the communication of your excellency, together with a copy of the declaration which you have done me the honor to submit upon the part of the French government.

I avail myself of the opportunity to renew to your excellency assurances of the high consideration with which I have the honor to be, sir, your very humble and obedient servant,

WILLIAM L. DAYTON.

Monsieur THOUVENEL,
Ministre des Affaires Étrangères.

Mr. Seward to Mr. Dayton.

No. 53.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch of August 19, No. 31, has been received.

Before this shall reach you, my instruction, No. 41, will have come to your hands. In that paper you were informed that you would be expected to rest in your negotiation concerning maritime rights until after we should have received some explanations from Lord Russell on a point raised in the negotiation at London.

Those explanations have not yet been received here.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 44.]

PARIS, *September 7, 1861.*

SIR: Your despatches, 41, 42, and 43, are duly received through Captain Schulz.

Your action, indicated in 41 and 42, has been anticipated by me. In a letter from Mr. Adams, dated London, August 1, 1861, he encloses me a copy of Lord John Russell's note of July 31, 1861, and in reference to the vague paragraph to which your despatches refer he says: "I do not quite comprehend the drift of the last paragraph, but I presume you will find it out in the progress of your negotiation." This I immediately answered by a letter, of which I herewith send you a copy.

Their subsequent offer to make a written outside declaration contemporaneous with the execution of the treaty was a degree of frankness which I did

not anticipate, and for which I had not given them credit. I shall wait with great pleasure, according to your instructions, "the result of the explanations which Mr. Adams is instructed to ask," but I expect that both he and I have already received all necessary explanations on that point. My conversations, at least with Mr. Thouvenel, have covered the whole ground, as stated to you in despatch No. 35. I add that I communicated immediately to Mr. Adams the substance of that conversation with Mr. Thouvenel.

The exequatur of James Lesley, appointed consul of the United States to Lyons, was applied for immediately on the receipt of his commission.

With much respect, I have the honor to be, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c.

PARIS, August 5, 1861.

SIR: I acknowledge with pleasure the receipt of yours of the 1st instant, enclosing a copy of your note to Lord John Russel and his reply. I feel that we have done a good thing in getting the reply of the British government (declaring the amendment to the treaty of Paris inadmissible) in writing. At least, we can proceed now, under our instructions, with a consciousness that we not only have not neglected this point, but that we have the evidence of having pressed it affirmatively. You say you do not comprehend the drift of the last paragraph in Lord John's reply. I think I do, at least, in part, and I shall not be surprised if the meaning, which he has purposely wrapped up in that general language, should in the end break off all negotiation. He may not refer to this language again, but unless you ask its meaning before the treaty is negotiated, it will be used by them afterwards as an excuse for not carrying it in effect as respects the insurrectionists of the south. The paragraph states, "the engagement of Great Britain will be prospective, and will not invalidate anything already done." The comment after the treaty, predicated upon this language, will be: "We had declared before the treaty that the southern insurrectionists were a belligerent party, and entitled to belligerent rights, (among which is the right to issue letters of marque,) and the treaty was to be prospective only, and not to invalidate anything already done. That, in other words, it does not bind your disloyal citizens, recognized by us as a belligerent party." I long ago wrote Mr. Seward that these powers would, in my judgment, either refuse to negotiate, or, if they did negotiate, it would be with the understanding that it secured us no rights not already conceded, and charged them with no duties not heretofore acknowledged. It is advisable that we raise no question in advance in reference to this matter, but it is necessary that we know what they mean as we go along.

With much respect, I am yours truly,

WM. L. DAYTON.

His Excellency CHAS. F. ADAMS,
United States Minister.

Mr. Seward to Mr. Dayton.

No. 56.]

DEPARTMENT OF STATE,
Washington, September 10, 1861.

SIR: Your despatch of August 22, No. 35, has been received. I learn from it that Mr. Thouvenel is unwilling to negotiate for an accession by the United States to the declaration of the congress of Paris concerning the rights of neutrals in maritime war, except "on a distinct understanding that it is to have no bearing, directly or indirectly, on the question of the domestic difficulty now existing in our country," and that to render the matter certain Mr. Thouvenel proposes to make a written declaration simultaneously with his execution of the projected convention for that accession.

You have sent me a copy of a note to this effect, addressed to you by Mr. Thouvenel, and have also represented to me an official conversation which he has held with you upon the same subject. The declaration which Mr. Thouvenel thus proposes to make is in these words:

"DRAFT OF DECLARATION.

"In affixing his signature to the convention concluded on date of this day between France and the United States, the undersigned declares, in execution of the orders of the Emperor, that the government of his Majesty does not intend to undertake by the said convention any engagements of a nature to implicate it, directly or indirectly, in the internal conflict now existing in the United States."

My despatch of the 17th day of August last, No. 41, which you must have received some time ago, will already have prepared you to expect my approval of the decision to wait for specific instructions in this new emergency at which you have arrived.

The obscurity of the text of the declaration which Mr. Thouvenel submits to us is sufficiently relieved by his verbal explanations. According to your report of the conversation, before referred to, he said that both France and Great Britain had already announced that they would take no part in our domestic controversy, and they thought that a frank and open declaration in advance of the execution of the projected convention might save difficulty and misconception hereafter. He further said, in the way of specification, that the provisions of the convention standing alone might bind England and France to pursue and punish the privateers of the south as pirates; that they are unwilling to do this and had so declared. He said, also, that we could deal with these people as we choose, and they (England and France) could only express their regrets on the score of humanity if we should deal with them as pirates, but that they could not participate in such a course. He added, that although both England and France are anxious to have the adhesion of the United States to the declaration of Paris, yet that they would rather dispense with it altogether than be drawn into our domestic controversy. He insisted somewhat pointedly that we could take no just exception to this outside declaration, to be made simultaneously with the execution of the convention, unless we intended that they (England and France) shall be made parties to our controversy, and that the very fact of your hesitation was an additional reason why they should insist upon making such contemporaneous declaration as they proposed.

These remarks of Mr. Thouvenel are certainly distinguished by entire frankness. It shall be my effort to reply to them with moderation and candor.

In 1856, France, Great Britain, Russia, Prussia, Sardinia and Turkey, being assembled in congress at Paris, with a view to modify the law of nations so as to meliorate the evils of maritime war, adopted and set forth a declaration, which is in the following words:

1st. Privateering is and remains abolished.

2d. The neutral flag covers enemy's goods, with the exception of contraband of war.

3d. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4th. Blockades, in order to be binding, must be effective—that is to say, maintained by forces sufficient really to prevent access to the coast of the enemy.

The States which constituted the congress mutually agreed to submit the declaration to all other nations and invite them to accede to it. It was to be submitted as no special or narrow treaty between particular States for limited periods or special purposes of advantage, or under peculiar circumstances; but, on the contrary, its several articles were, by voluntary acceptance of maritime powers, to constitute a new chapter in the law of nations, and each one of the articles was to be universal and eternal in its application and obligation. France especially invited the United States to accede to these articles. An invitation was equally tendered to all other civilized nations, and the articles have been already adopted by forty-one of the powers thus invited. The United States hesitated, but only for the purpose of making an effort to induce the other parties to enlarge the beneficent scope of the declaration. Having failed in that effort, they now, after a delay not unusual in such great international discussions, offer their adhesion to that declaration, pure and simple, in the form, words and manner in which it was originally adopted and accepted by all of the forty-six nations which have become parties to it. France declines to receive that adhesion unless she be allowed to make a special declaration, which would constitute an additional and qualifying article, limiting the obligations of France to the United States to a narrower range than the obligations which the United States must assume towards France and towards every other one of the forty-six sovereigns who are parties to it, and narrower than the mutual obligations of all those parties, including France herself.

If we should accede to that condition, it manifestly would not be the declaration of the congress of Paris to which we would be adhering, but a different and special and peculiar treaty between France and the United States only. Even as such a treaty it would be unequal. Assuming that Mr. Thouvenel's reasoning is correct, we should in that case be contracting an obligation, directly or indirectly, to implicate ourselves in any internal conflict that may now be existing or that may hereafter occur in France, while she would be distinctly excused by us from any similar duty towards the United States.

I know that France is a friend, and means to be just and equal towards the United States. I must assume, therefore, that she means not to make an exceptional arrangement with us, but to carry out the same arrangement in her interpretation of the obligations of the declaration of the congress of Paris in regard to other powers. Thus carried out, the declaration of Paris would be expounded so as to exclude all internal conflicts in States from the application of the articles of that celebrated declaration. Most of the wars of modern times—perhaps of all times—have been insurrectionary wars, or “internal conflicts.” If the position now assumed by France should thus be taken by all the other parties to the declaration, then it would follow that the first article of that instrument, instead of being, in fact, an universal and effectual inhibition of the practice of privateering, would abrogate it only in wars

between foreign nations, while it would enjoy universal toleration in civil and social wars. With great deference, I cannot but think that, thus modified, the declaration of the congress of Paris would lose much of the reverence which it has hitherto received from Christian nations. If it were proper for me to pursue the argument further, I might add that sedition, insurrection and treason would find in such a new reading of the declaration of Paris encouragement which would tend to render the most stable and even the most beneficent systems of government insecure. Nor do I know on what grounds it can be contended that practices more destructive to property and life ought to be tolerated in civil or fratricidal wars than are allowed in wars between independent nations.

I cannot, indeed, admit that the engagement which France is required to make without the qualifying declaration in question would, directly or indirectly, implicate her in our internal conflicts. But if such should be its effect, I must, in the first place, disclaim any desire for such an intervention on the part of the United States. The whole of this long correspondence has had for one of its objects the purpose of averting any such intervention. If, however, such an intervention would be the result of the unqualified execution of the convention by France, then the fault clearly must be inherent in the declaration of the congress of Paris itself, and it is not a result of anything that the United States have done or proposed.

Two motives induced them to tender their adhesion to that declaration—first, a sincere desire to co-operate with other progressive nations in the melioration of the rigors of maritime war; second, a desire to relieve France from any apprehension of danger to the lives or property of her people from violence to occur in the course of the civil conflict in which we are engaged, by giving her, unasked, all the guarantees in that respect which are contained in the declaration of the congress of Paris. The latter of these two motives is now put to rest, inasmuch as France declines the guarantees we offer. Doubtlessly, she is satisfied that they are unnecessary. We have always practiced on the principles of the declaration. We did so long before they were adopted by the congress of Paris, so far as the rights of neutrals or friendly States are concerned. While our relations with France remain as they now are we shall continue the same practice none the less faithfully than if bound to do so by a solemn convention.

The other and higher motive will remain unsatisfied, and it will lose none of its force. We shall be ready to accede to the declaration of Paris with every power that will agree to adopt its principles for the government of its relations to us, and which shall be content to accept our adhesion on the same basis upon which all the other parties to it have acceded.

We know that France has a high and generous ambition. We shall wait for her to accept hereafter that co-operation on our part in a great reform which she now declines. We shall not doubt that when the present embarrassment which causes her to decline this co-operation shall have been removed, as it soon will be, she will then agree with us to go still further, and abolish the confiscation of property of non-belligerent citizens and subjects in maritime war.

You will inform Mr. Thouvenel that the proposed declaration on the part of the Emperor is deemed inadmissible by the President of the United States; and if it shall be still insisted upon, you will then inform him that you are instructed for the present to desist from further negotiation on the subject involved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extract.]

PARIS, September 10, 1861.

SIR: * * * * * * * *

I herewith enclose to you a copy and translation of a communication recently received by me from Mr. Thouvenel on the subject of the execution of the convention as to maritime rights. It contains nothing that I have not referred to before, but it is evident he wanted to put the specific grounds of exception to an unconditional exception of the treaty on record.

* * * * * * * *

With much respect, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Thouvenel to Mr. Dayton.

[Translation.]

PARIS, September 9, 1861.

SIR: I have received the letter which you did me the honor to write me, the 26th of the month of August, in order to explain to me the reasons which induced you to await further instructions from your government before proceeding to the signing of the convention relative to maritime rights.

In this state of affairs, I could but await the arrival of the instructions which you have requested, and, consequently, I do not wish to enter into the discussion of the motives which have prevented you from signing the contemplated convention, and which you were pleased to bring to my knowledge. I desire, however, to set forth clearly, by some further explanations, what is the train of thought followed by the government of the Emperor, in judging, like the government of her Britannic Majesty, that it is expedient to accompany the proposed treaty with a special declaration.

If the United States, before the actual crisis, had adhered to the declaration of the congress of Paris, as this adhesion would have bound the whole confederation from that moment, the cabinet of Washington might, at the present time, have availed itself of it to contest the right of the southern States to arm privateers. Now, if this supposition be correct, (fondée,) one could not be astonished that the government of Mr. President Lincoln, according to the principles which it has set forth in its manner of viewing the present conflict, should wish to consider the contemplated convention as much obligatory upon seceded States, in the present circumstances, as if it had preceded the hostilities. But if this opinion be quite explicable on the part of the cabinet of Washington in the situation in which events have placed it, it could not be thus with governments which have proposed to themselves to preserve the strictest neutrality in a struggle, the gravity of which it has no longer been possible for them to disregard. In accepting, then, a proposition presented (formulée) by the federal government, when war had already unhappily broken out between the northern and southern States of the Union, it was natural that the government of the Emperor,

having decided not to turn itself aside from the attitude of reserve which it had imposed upon itself, should consider beforehand what extension the cabinet of Washington might be induced, on account of its position, to give to an arrangement, by which it declared that the United States renounced privateering. The hostilities, in which the federal government is actually engaged, offering to it the opportunity of putting immediately into practice the abandonment of this mode of warfare; and its intention, officially announced, being to treat the privateers of the south as pirates, it was manifestly of importance to caution the cabinet of Washington against the conviction, where it might exist, that the contemplated treaty obliged us thus to consider the privateers of the south as pirates. I will not dwell upon the matter (*n'insisterai pas*) in order to show how much we would deviate from the neutrality we have declared ourselves desirous of observing towards the two factions of the Union, if, after having announced that they would constitute for us two ordinary belligerents, we should contest the primitive rights of a belligerent to one of them, because the other should consent voluntarily to the abandonment of it in a treaty concluded with us. There is no need to point out, further, how we would forcibly break through our neutrality as soon as we should be constrained, in virtue of the contemplated convention, to treat as pirates the privateers which the south will persist in arming. The cabinet of Washington might, then, I repeat, be led, by the particular point of view in which it is placed, to draw from the act which we are ready to conclude such consequences as we should now absolutely reject. It has seemed to us that it is equally important to the two governments to anticipate (*prévenir à l'avance*) all difference of interpretation as regards the application to the actual circumstances of the principles which were to become common to them both. Otherwise, it would have been to be feared, if the same explanations had had to be exchanged later, that there would have been attributed to them a character altogether different from that which they really possess. We would regret, too, sincerely that the least misunderstanding should be produced in our relations with the United States, not to be anxious, from this moment henceforth, to enlighten them upon a reserve, which, being officially stated to the cabinet of Washington before the signing of the convention, maintains strictly one line of neutrality, without taking away from the value of the agreement, which, in this case, we will be happy to establish with the United States.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. DAYTON,
Minister of the United States at Paris.

Mr. Seward to Mr. Dayton.

No. 59.]

DEPARTMENT OF STATE,
Washington, September 23, 1861.

SIR: Your despatch of the 29th of August (No. 37) was duly received. The proceedings it relates had, however, been anticipated, and it only remains to be said in regard to them, that your conduct therein is fully approved

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM A. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 66.]

DEPARTMENT OF STATE,
Washington, October 10, 1861.

SIR: Some unaccounted for obstruction of the mails has caused a delay in the receipt of your despatch of the 7th of September (No. 44) until this time.

As I expected, you very properly anticipated my instructions on the subject of the conditional execution of the treaty proposed by Mr. Thouvenel, and your proceedings in that respect are entirely approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward:

No. 59.]

PARIS, *October 14, 1861.*

SIR: After a careful examination of your despatch (No. 36) in reference to an accession by the United States to the declaration of the congress of Paris, I have thought it best to submit a copy of the same to Mr. Thouvenel, to be read.

As your despatch recapitulates the points made by Mr. Thouvenel in the conversation with me and reported by me to the government, it was perhaps due to him that he should see if he has been correctly reported. Upon one side, it was equally important that, in a matter of so much interest, the view taken by our government should not be misstated nor misunderstood. It seems to me now that the case stands, upon the whole correspondence, as well for the government of the United States as could be desired.

With much respect, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c.

Mr. Seward to Mr. Dayton.

No. 71.]

DEPARTMENT OF STATE,
Washington, October 21, 1861.

SIR: Your despatch of September 30 (No. 54) has been duly received. Your vigilance in communicating to me Mr. Brown's comments on the subject of confiscation is approved. You will have learned, however, from the press, before this paper shall reach you, that the crises he apprehended were unreal.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 72.]

DEPARTMENT OF STATE,
Washington, October 21, 1861.

SIR: Your despatch of September 30 (No. 55) has been received. I thank you for your diligence in transmitting the papers concerning our

blockade, which it contains. The blockade is already very effective, quite as much so as any nation ever established. Proceedings are now on foot which will remove the premature objections of the French consul to which you allude.

I am your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., &c., &c.

Mr. Dayton to Mr. Seward.

No. 69.]

PARIS, October 22, 1861.

SIR: You will recollect that in despatch No. 59 I informed you that I had thought it proper, under all the circumstances, to submit a copy of your last despatch, No. 56, in reference to the projected treaty, &c., to Mr. Thouvenel, to be read and returned. Herewith I send you a translation of his note, acknowledging the reception of the copy of your despatch, and returning the same. He makes no comment on your despatch, and his note is of no importance except that you may have in your department the entire correspondence upon this important subject.

Respectfully, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c.

[Translation.]

PARIS, October 18, 1861.

SIR: You have been pleased to transmit to me, the 14th of this month, a copy of a despatch in which Mr. the Secretary of State of the Union sets forth the motives which do not permit the cabinet at Washington to accept, in signing a convention of adhesion to the principles of maritime right proclaimed by the Congress of Paris, the declaration of which I had sent you the rough draft.

I have the honor to acknowledge the receipt of this communication, in returning to you, according to your desire, the despatch with which you have made me acquainted.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. Seward to Mr. Dayton.

No. 80.]

DEPARTMENT OF STATE,
Washington, November 7, 1861.

SIR: I have the honor to acknowledge the receipt of your despatch of October 22, (No. 69,) which is accompanied by a note from Mr. Thouvenel on the subject of my despatch to you, No. 56.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

designed to render obligatory between France and the United States the principles upon maritime rights proclaimed by the congress of Paris. This declaration has for its object, as you will see, to prevent all misunderstanding upon the nature of the engagements which the government of the Emperor is disposed to contract.

If you were ready to sign the convention contemplated, we might be able to agree to make it the same day when Lord Russell should proceed from his side to the signing of a similar act with Mr. Adams.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. DAYTON,

Minister of the United States at Paris.

[Translation.]

Draft of declaration.

In affixing his signature to the convention concluded in date of this day between France and the United States, the undersigned declares, in execution of the orders of the Emperor, that the government of his Majesty does not intend to undertake, by the said convention, any engagement of a nature to implicate it, directly or indirectly, in the internal conflict now existing in the United States.

Mr. Dayton to Mr. Seward.

No. 37.]

PARIS, August 29, 1861.

SIR: Herewith I beg to enclose a copy of a communication made by me to Mr. Thouvenel, in answer to his formal notice of a purpose on the part of the French government to make an outside declaration of its intentions at the time of the execution of the treaty, copies of which were enclosed in despatch No. 35.

It is in part the same matter suggested to him by me in the conference in which he first notified me of his purpose. His written communication subsequent to that conference required a like formal reply. I am happy to learn from a communication received from Mr. Adams that he concurs with me in the propriety of stopping the negotiation where it is, and referring the matter to the government at home. I should have been most reluctant, under the circumstances, to execute this convention, had Mr. Adams insisted upon it, making only a counter declaration, such as was referred to in despatch No. 35; but I was very desirous, after what had passed, not to be considered an obstacle in the way of carrying out the wishes of the administration. I doubt now, however, if England and France would themselves have assented to proceed with the execution of the convention in the face of such declaration.

With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,

Secretary of State, &c., &c.

Mr. Dayton to Mr. Thouvenel.

LEGATION OF THE UNITED STATES,
Paris, August 26, 1861.

MONSIEUR LE MINISTRE : I have the honor to acknowledge the receipt of your communication of the 20th instant, in which (carrying out the purpose expressed by you in our prior conversation of that day) you communicate to me the text of a written declaration which you propose to make simultaneous with the execution of the convention between the United States and France, in reference to the principles upon maritime rights proclaimed by the Congress of Paris in 1856. You further suggest in your note that if I were ready to sign the convention contemplated, we might be able to agree to do so the same day when Lord Russell should proceed, on his side, to the signing of a like convention with Mr. Adams.

The declaration which you propose to make in writing, simultaneous with the execution of the convention, has for its object, you say, "to prevent all misunderstanding as to the nature of the engagements which the government of the Emperor is disposed to contract," and this declaration is, that "in the execution of the orders of the Emperor the government of his Majesty does not intend to undertake, by said convention, any engagements of a nature to implicate it directly or indirectly in the internal conflict now existing in the United States."

My impressions, hastily thrown out when this proposition was verbally suggested, have been strengthened by subsequent reflection. I do not stop to inquire how such outside declaration as you propose may affect the rights or obligations of parties under the treaty. Indeed, it is so general that it may not be possible to anticipate its entire scope or operation. It gives us notice that the engagements of your government are not to be "*of a nature to implicate it directly or indirectly in the internal conflict,*" &c. It may be that the conduct of the government of France, under this declaration, would practically extend no further than would be agreeable to the United States; yet I cannot act upon such assumption. My instructions are to negotiate a particular convention, the text of which has been examined and approved, as I understand, by your excellency. If the declaration which you propose to make does not alter the obligations or duties which would otherwise devolve upon France, in virtue of that convention, it is useless to make it. If it does alter such obligations or duties, then I am not authorized to execute the convention subject to such declaration. This, indeed, so far as my action at present is concerned, is the whole case. But the subject justifies, and perhaps requires some other remarks. You stated that you thought it more frank and loyal to make your declaration in advance, and in this I entirely concurred. If the treaty without such declaration would impose any duty upon France which she would be unwilling to perform, it was manifestly proper that she should declare her purpose in advance. It was proper, not only for the purpose of preventing misunderstanding as to the nature of her intended engagements, but for the other purposes of leaving to the United States the option of determining, with full knowledge, whether she would or would not enter into the treaty subject to such declaration. The declaration, it is true, is not strictly a part of the treaty, yet, for the purpose intended, its effect and operation would be the same as if it were incorporated into the treaty itself. It will prevent misunderstandings as to the nature of the engagements, or, in other words, it will prevent one party complaining of a non-performance of supposed engagements by the other under the treaty, just as effectively as if it were a condition added to the treaty itself. But for the interposition of this declaration I should have

what shall be the measure of the disasters and calamities it shall inflict. Secondly. The government neither expects nor asks, nor would it consent to receive, aid or favor from Spain or any other foreign state. It asks only that such states perform their treaty obligations, and leave this domestic controversy to the care and conduct of those to whom it exclusively belongs. Whenever this republic shall have come to need the protection or favor of any other nation, it will have become unable and unworthy to exist, however aided from abroad.

The President, in the absence of all information, is left to conjecture what are the influences upon which the so-called Confederate States rely to induce her Catholic Majesty's government to grant their disloyal application. The high consideration which he entertains for her Majesty enables him to assume that the appeal taken from this government to her royal favor, proceeds, in part at least, on the ground that the revolutionists affect to have suffered oppression and wrong at the hands of the government of the United States, which entitle them to the sympathy of the Queen of Spain, if not to redress through her intervention. Her Catholic Majesty's government has not been addicted to such intervention hitherto, and the wisdom of its forbearance is seen in the revival of the energies of that great and honored nation, which now seems renewing a felicitous career.

The President, however, will not rely merely on the forbearance of any foreign power, not even on that of the government of Spain.

That government well understands the Constitution of the United States, and has had opportunity to learn its practical operation. It therefore knows that the several States which constitute the federal Union can respectively practice tyranny or oppression upon individual citizens, and may even hinder and embarrass the general government, while, on the other hand, that government, being armed with only a few though very important powers needful for preserving domestic peace, and defence against foreign nations, can neither oppress nor impoverish nor annoy any member of the Union or any private citizen.

In the present case there are some points which will not escape consideration, namely :

1st. The very interest which now resorts to insurrection, practically speaking, has directed the administration of the federal government from the hour when the first murmur of discontent was heard until now when it raises the flag of disunion.

2d. The federal government, now seventy years old, has never made a foreign war which that same interest, now so insurrectionary, did not urge or demand ; has never extended its dominion a square mile by discovery, conquest, or purchase except at the instance of the same party ; has never exacted an irregular contribution, or levied an illegal or unequal tax, and only in war has imposed a direct tax. It has divided civil, military, and naval honors and trusts between all classes and sections, if not impartially, at least with preference of the same interest. It has constructed all the defences required for the section where that interest prevails, and for forty years has accommodated that interest with special legislation and beneficial arrangements with foreign powers. The administration of the government has been so just and so tolerant that no citizen of any one of the States claiming to be aggrieved has ever been deprived by it of his liberty, except on conviction of crime by his peers of the vicinage, nor of his property without due compensation, nor forfeited his life under its authority except as a volunteer in the battles of his country. I will not pursue the subject. It is enough to show that while this government will submit its action in domestic affairs to the judgment of no other nation, it does not fear to encounter the moral opinion of mankind.

Will the disunionists claim that they are the discoverers of a new and beneficent system of political government, which commends itself to the patronage of her Catholic Majesty? What are the salient principles of their system? First, government shall employ no standing military force in conducting administration of its domestic concerns, but shall always be constituted by popular suffrage, and be dependent upon it. But it shall, at the same time, be the right of the minority, when overruled in the elections, to resort to insurrection, not merely to reverse the popular decree, but even to overthrow the government itself, while, on the other hand, the government can never lawfully use force to coerce compliance with its laws.

2d. Theseveral states, districts, intendencies, or provinces which constitute a nation, must be brought and held together not in any case by conquest or force, but by voluntary federation, which may be stipulated to be perpetual. But each constituent state, district, intendency, or province retains an inherent and absolute sovereignty, and its people may rightfully withdraw from the federal Union at pleasure, equally in war as in peace, leaving its common debts unpaid, its common treaties unfulfilled, its common defence frustrated. Moreover, the seceding party may seize all the federal treasures, defences, institutions, and property found within its own limits, and convert them to its own use, simply offering to come at its own future pleasure to an equitable account. It is not to be doubted that the kingdom of Spain could be dissolved by her Catholic Majesty's acceptance of this new system much more rapidly than by waiting the slow effect of foreign wars or domestic mal-administration. Castile, and Old Castile, Leon, Andalusia and Aragon, Cuba and the Philippine Islands, would be much more easily separated on this plan than New York and Louisiana, California and Massachusetts, Florida and Michigan.

Perhaps the so-called Confederate States will rest their appeal on some especial ground of sympathy with Spain and the states of Spanish America.

In such a case you will need only to say that the moderation which has thus far been practiced by the United States towards Spain, and the Spanish American states once her colonies, has been due chiefly to the fact that the several North American states of British derivation, exclusive of Canada, have been bound together in a federal Union, and the continuance of that Union is the only guarantee for the practice of the same moderation hereafter.

Will the so-called Confederate States promise liberal or reciprocal commerce with Spain or her provinces? What commerce can there be between states whose staples are substantially identical? Sugar cannot be exchanged for sugar, cotton for cotton, or rice for rice. The United States have always been willing, and undoubtedly they always will remain willing, to establish commerce with Spain and her provinces on terms as mutually reciprocal as the government of that country itself will allow.

These thoughts are presented to you by direction of the President, not as exhausting the subject, but only as suggestions to your own vigorous and comprehensive mind, and he confidently relies on your applying all its powers to the full discussion of the subject if it shall become necessary.

* * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHUEZ, Esq., &c., &c., &c.

Mr. Preston to Mr. Seward.

[Extract.]

No. 41.]

LEGATION OF THE UNITED STATES,
Aranjuez, April 22, 1861.

SIR: An interview has taken place between the minister of foreign affairs and myself in reference to the subject embraced in your circular.

In conformity with your instructions, I presented the inaugural address of the President as expressive of his policy towards the seceding States, and read to him your despatch, saying that the administration conceived that the unhappy differences existing in America owed their origin to popular passions and were of a transient character, and that the President was well assured of the speedy restoration of the harmony and unity of the government.

The minister replied with courtesy, expressing pain at the posture of affairs in the United States, but said that her Majesty's government was informed that extensive military and naval preparations were making in the north to enforce the federal supremacy in the south, and that the consequences were to be dreaded. I replied that I felt assured his information was erroneous.

No commissioners from the Confederate States have yet applied for the recognition of the Southern Confederacy, as I informed you in my former despatch. The minister has promised me that no negotiations for that purpose shall be conducted without my being fully informed. This is as satisfactory an arrangement as could be desired under existing circumstances.

* * * * *

I have the honor to remain your obedient servant,

W. PRESTON.

HON. WILLIAM H. SEWARD,

Secretary of State, &c., &c., Washington, D. C.

Mr. Preston to Mr. Seward.

[Extract.]

No. 54.]

LEGATION OF THE UNITED STATES,
Madrid, May 25, 1861.

SIR: * * * * *

The proclamations of the President declaring the blockade of the ports of Virginia, North Carolina, and other southern States, have been transmitted to the government of her Catholic Majesty for its official notification.

No commissioners have yet arrived in Spain to apply for the recognition of the southern States which have seceded from the Union, and none will probably come until the question has been determined by the cabinets of London or Paris. * * * * *

I have the honor to remain your obedient servant,

W. PRESTON.

HON. WILLIAM H. SEWARD,

Secretary of State, &c., &c., Washington, D. C.

Mr. Perry to Mr. Seward.

[Extract.]

No. 4.]

LEGATION OF THE UNITED STATES,
Madrid, June 13, 1861.

SIR: Your despatch of May 20, No. 1, has reached me, and varies the instructions of May 9.

Please find annexed copy of my note to Mr. Calderon, dated yesterday, which I placed in his hands accompanied by a copy of your despatch. I deemed it proper to provoke a repetition to myself of the assurance given to Mr. Preston, and fix it by a statement in writing.

On this subject, of the recognition by Spain of the pretended government of the Confederate States, I have had various interviews with influential personages, and with the sub-secretary and the first secretary of state. I have represented the position of the rebel party in a light which was evidently new to them.

Yesterday, in a long and very satisfactory interview with Mr. Calderon, I explained to him the connexion of Mr. Jefferson Davis and other leaders in the southern rebellion with the attempt made in 1854-'55 by the same parties to provoke a war with Spain for the conquest of Cuba. He was made to see that the former filibustering against Cuba had its origin, like the present rebellion at the south, in the political ambition of our slave owners. They then wished to re-enforce the slave power in the Union by the annexation of new slave States, but having failed in Cuba, in Nicaragua, in Kansas, and lastly in the recent presidential election, they had at length to turn their arms against the government of the United States, now passed out of their control.

Secession was filibustering struck in. I explained that, unhappily, a class at the south called by the slave owners "mean whites" were quite ready to follow their lead, and were a terrible instrument in their hands. Their own ignorance, their dependence upon the richer class, and their contact with the blacks had gradually reduced them, intellectually and morally, to a point of which, perhaps, there were few examples in the Anglo-Saxon race. They were as reckless of danger as they were of right, as ready to embark for the fever lakes of Central America as for the sugar fields of Cuba, or the wilds of Kansas, or a campaign against the government of their country.

This was good material for a rebel soldiery; and under the more intelligent lead of the slave owners this revolt was undoubtedly serious and would cost blood. But the result was not doubtful. The disparity of force and resources on the part of the government was too overbalancing to leave the rebels a chance of long prolonging the struggle.

Happily, between the ambitious class of slave owners and the so-called "mean whites," their instruments, there was a middle class in the south, more numerous than the two together, loyal to the Union and the Constitution. These loyal citizens were now held in a state of duress by the violence and intimidation employed by the slave owners and their instruments. His excellency would have noticed that from the beginning to this day the rebels had not obtained the sanction of a popular vote to any of their high acts. Nevertheless this was the only basis of political right known in America. We had no king, no church, no aristocracy, no other political guarantee or sanction in our nation than the will of the people fairly expressed. None of the so-called ordinances separating States from the Union had been ratified by the people of those States themselves; nor had the pretended new confederation of those States, nor the formation of a constitution and government

for the so-called Confederate States, nor any other of the high acts pretended to have been accomplished in the name of the people of certain States, ever received their sanction or concurrence. The majority was against such proceedings in the southern States themselves. The whole was the work of a party which, by violence, was imposing its action upon those States.

Leaving out of view the question whether a State might or might not secede from the United States by its own will, really up to this time no such will had been manifested. The pretended acts of sovereignty exercised by those States in fact were not the acts of those States, but simply the acts of a party which shows itself a minority in those States.

They were hollow, they lacked the only sanction which could give them substance.

And the appearance of a confederate government set up by the faction operating in the south was an appearance only—convenient for their own purposes, but having no condition entitling it to the consideration of foreign States.

Without the sanction of the people it was a pretence and no reality. I mentioned the example of the court, or appearance of a court, set up by Don Carlos in the northern provinces of Spain not many years since, and asked Mr. Calderon whether that was a government either *de jure* or *de facto*; and yet Don Carlos and his rebel army and sympathizers held a large district for a considerable period subject to their duress.

Thus the appearance set up in our southern States was no government either *de jure* or *de facto*. It was at best a transitory form of violence, a phase of anarchy, a thing which could endure only whilst the violence might endure which had produced and still maintained it. But, aside from this violence, there was no political guarantee in Mr. Davis, nor in his followers, nor in the class from which they spring. Up to this time they had been unrestrained, and their demonstrations completely unchecked, by any show of force on the part of the government; but now it had been found necessary to display the power of the Union, and our forces were preparing by land and sea to quell this sedition and release the loyal people of the southern States from the duress of this rebel faction.

Much more was said, and questions asked and answered, which it is hardly necessary to repeat.

The result of this interview, I am happy to say, may be regarded by the President as decisive in regard to Spain. Much had been done previously, but it was brought to a termination yesterday.

The minister of state not only renewed to me the assurance given to Mr. Preston, but amplified it, stating absolutely that if any commissioners or other negotiators should appear in behalf of the so-called Confederate States, the government would not see them nor recognize them in any capacity; that Spain would have nothing to do with the rebel party in the United States in any sense.

I might write this to my government, and say besides that her Majesty's first secretary of state had promised me that within a few days, as soon as it could be declared, a decree would be issued by this government prohibiting all Spaniards from taking service on either side, and ordering all the subjects of Spain to maintain complete neutrality in the contest now begun in the United States; that she would prohibit the entrance of southern privateers into any of her ports, peninsular and colonial, and prohibit the furnishing of any supplies to the rebels, whether arms, provisions, coals, ships, or any other merchandise which might aid in their revolt against the government of the Union. Armed ships, with their prizes, would not be permitted to enter her ports. Spanish subjects would be forbidden to accept any letter of marque or other such document, or serve on board of any pri-

vateer; and no fitting out of vessels for the purpose of taking part in hostilities against the United States could be permitted, but impeded with vigor and severity.

I have again seen Mr. Calderon to-day, and he informed me that, in pursuance of these declarations, he had just come from a council of ministers, where he had been occupied with this business, and that the decree would appear in two or three days at most, and that he would also write to Señor Tassara, her Majesty's representative in Washington, to make you the same announcement on the part of his government.

* * * * *

With sentiments of the highest respect, sir, your obedient servant,
HORATIO J. PERRY.

Hon. WM. H. SEWARD, *Secretary of State*.

Mr. Perry to Mr. Seward.

No. 7.]

LEGATION OF THE UNITED STATES,
Madrid, June 19, 1861.

Sir: I have the honor to enclose the royal decree, published by the official gazette this morning, with its translation, (explained in No. 6.)

The minister of state has to-day, whilst acknowledging that its provisions are in great part taken from the French decree, drawn my attention to the fact that he has avoided the use of the expression *belligerents* as far as possible, or any other which could be considered as prejudging the question of right in any manner.

He also drew my attention to the fact that, though the decree proclaims neutrality, it expressly prohibits any supplies to be furnished to privateers in the Spanish ports, whilst vessels-of-war may be provided and equipped with all they need; and this provision tells exclusively against the party issuing letters of marque.

The preamble also is less objectionable than some other documents which have seen the light in Europe.

With the highest respect, sir, your obedient servant,
HORATIO J. PERRY.

Hon. WM. H. SEWARD, *Secretary of State*.

[Translation.]

MINISTRY OF STATE.—ROYAL DECREE.

Taking into consideration the relations which exist between Spain and the United States of America, and the desirability that the reciprocal sentiments of good intelligence should not be changed by reason of the grave events which have taken place in that republic, I have resolved to maintain the most strict neutrality in the contest begun between the federal States of the Union and the States confederated at the south; and in order to avoid the damage which might come to my subjects and to navigation, and to commerce, from the want of clear provisions to which to adjust their conduct in consonance with my council of ministers, I do decree the following:

ARTICLE 1. It is forbidden in all the ports of the monarchy to arm, provide, or equip any privateer vessel, whatever may be the flag she displays.

ART. 2. It is forbidden in like manner to the owners, masters, or captains of merchant vessels to accept letters of marque, or contribute in any way whatsoever to the armanent or equipment of vessels-of-war or privateers.

ART. 3. It is forbidden to vessels-of-war or privateers with their prizes to enter or to remain for more than twenty-four hours in the ports of the monarchy, except in case of stress of weather. Whenever this last shall occur, the authorities will keep watch over the vessel and oblige her to get out to sea the soonest possible without permitting her to take in any stores except the purely necessary for the moment, but in no case arms nor supplies for war.

ART. 4. Articles proceeding from prizes shall not be sold in the ports of the monarchy.

ART. 5. The transportation under the Spanish flag of all articles of commerce is guaranteed, except when they are directed to blockaded ports. The transportation of effects of war is forbidden, as well as the carrying of papers or communications for belligerents. Transgressors shall be responsible for their acts, and shall have no right to the protection of my government.

ART. 6. It is forbidden to all Spaniards to enlist in the belligerent armies or take service on board of vessels-of-war or privateers.

ART. 7. My subjects will abstain from every act which, in violation of the laws of the kingdom, can be considered as contrary to neutrality.

ART. 8. Those who violate the foregoing provisions shall have no right to the protection of my government, shall suffer the consequences of the measures which the belligerents may dictate, and shall be punished according to the laws of Spain.

Palace, on the seventeenth of June, one thousand eight hundred and sixty-one.

SIGNED WITH THE ROYAL HAND.

SATURNINO CALDERON COLLANTES.

The minister of state,

Mr. Seward to Mr. Schurz.

No. 6.]

DEPARTMENT OF STATE,
Washington, June 22, 1861.

SIR: I send you an extract of a letter from Mr. Sanford, our minister at Belgium.

You will perceive, at once, how important it is that the Spanish government shall prevent the fitting out or departure of privateers from its friendly ports. We do not doubt your activity. You will need to see that our consuls in Spain are watchful and active.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c., *Madrid.*

No. 13.]

Mr. Perry to Mr. Seward.

LEGATION OF THE UNITED STATES,
Madrid, July 12, 1861.

SIR: I have been prevented, by my recent illness and the pressure of affairs, from communicating to you till this moment the import of various

conversations which I had with Mr. Calderon Collantes, minister of state, previous to entering the protest of June 19, upon the subject of the commercial relations of the two countries and the West Indian colonies.

I confess this subject has been a favorite with me ever since I succeeded, in 1854, in inducing the Spanish government to consent to negotiate with me for the conclusion of a commercial treaty upon the liberal and advantageous basis of the eleven articles then drawn up and sent to the State Department, accompanied with this offer on the ——— September of that year.

On entering again upon the discharge of the duties of this legation, I took an early opportunity, therefore, to sound the dispositions of the present minister of state on this subject, as well as the feeling of other officers and personages influential in this government.

In no quarter has the idea of arranging the commercial intercourse of the two countries upon a more liberal basis been repelled. The minister of state told me, without hesitation, that he would enter with me upon the work of negotiating a treaty for this purpose readily, and with the idea that we should find no great difficulty in bringing it to a successful conclusion.

I mentioned, especially, the subject of the Cuban flour duties, and received the reply, now as in years before, that these would be yielded by Spain, and the Spanish colonial market thrown open to the introduction of our grains and provisions of all kinds.

Some compensation, or show of compensation, to the Castilian wheat-growers may be asked in the form of a reduction of our duties on the cheap wines of Castile; and whilst I see no great objection to such an arrangement, I am, at the same time, persuaded that practically it would amount to little in its effects either upon our revenue or upon the agricultural interests of Castile.

The motive of these conversations was to assure myself, for your information, what were the present wishes and dispositions of the Spanish government on this subject, prior to that coolness in our relations which must follow the presentation of the protest of June 19. I repeat, I have found these dispositions, now as heretofore, entirely favorable to the object mentioned, and I could have undertaken to carry a negotiation on this subject to a conclusion satisfactory to you, and highly advantageous to our people interested in the trade with the Spanish colonies.

As to the convention for the settlement of claims, which was signed by Mr. Preston, the minister of state expressed his regret that it had not received the ratification of the Senate, but had no doubt we should be able to arrange it so as to avoid the objections of that body. Other more pressing affairs induced me not to go much into the matter in the absence of your instructions.

But may I inquire what objection there would be on the part of the present administration, or of the Senate, to such a convention for this purpose, as I had the honor of offering to the acceptance of the administration of President Pierce, in September, 1854, a convention on the model of that concluded with Great Britain in February, 1853, free from especial clauses in reference to any particular claim, and embracing *all* claims by citizens or subjects of either country on the government of the other, without designation nor exception of any?

Should any change of circumstances lead you to recur to this subject, it will perhaps be useful to know that such an arrangement can be made.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Schurz to Mr. Seward.

[Extracts.]

No. 2.]

LEGATION OF THE UNITED STATES,
Madrid, July 15, 1861.

SIR:

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Señor Calderon Collantes then asked me whether the declaration of neutrality on the part of Spain in regard to our domestic troubles was satisfactory to my government. I replied that the government of the United States asked for and expected from foreign powers nothing but to be left to dispose of our domestic controversy as it deemed best. As to the declaration of neutrality on the part of Spain, I had received no expression of opinion from my government, and that I thought it would be considered satisfactory.

I then asked Señor Calderon Collantes whether any application had been made to her Majesty's government for the recognition of the so-called Confederate States. He replied that no such application had been made, and that to his knowledge none of the gentlemen said to have come to Europe for that purpose had touched the soil of Spain. He assured me, in addition, that if anything of the kind should occur he would immediately communicate the fact to this legation.

In relation to my presentation to the Queen, Señor Calderon Collantes said that it was uncertain whether her Majesty would be able to receive me previous to her departure for Santander, which was to take place on the 15th instant; but that he would bring the matter before a meeting of the cabinet, to be held the same evening, and advise me in due time of their decision. He requested me, at the same time, to communicate to him the draft of the speech which I intended to deliver at the reception.

In the course of the night Mr. Perry was advised that her Majesty would be pleased to receive me the next day, at 9.30 o'clock p. m.

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At the appointed hour I was received by her Majesty. I have the pleasure to annex a copy of the speech I delivered in presenting my letter of credence, as well as her Majesty's answer.

Last night there was a general reception by the Queen and the King consort of the diplomatic corps, which I attended, accompanied by Mr. Perry. I may mention that on both occasions I was, contrary to the rules of court etiquette, admitted in a plain citizen's dress, the shortness of the time not having permitted me to prepare a proper court costume.

I cannot close this despatch without expressing my sincere gratification at the manner in which Mr. Perry had prepared for my reception here, and the many obliging attentions he has shown me since. Although my acquaintance with him is of but three days standing, yet I have no doubt our official and social intercourse will be of the most cordial nature.

I am, sir, your obedient servant, &c., &c.,

C. SCHURZ.

HON. WM. H. SEWARD,
Secretary of State, Washington, D. C.

Copy of the speech of Mr. Schurz.

MADAM: In appearing before your Majesty as envoy extraordinary and minister plenipotentiary of the United States of America, I regard it as my most agreeable duty to communicate to your Majesty the friendly feelings which the President of the United States and the American nation entertain towards your Majesty and the people of Spain.

I beg leave to assure your Majesty that, for the purpose of maintaining amicable relations with the government of your Majesty, as far as may be consistent with the dignity and legitimate interests of the United States, the President could not have selected a more willing instrument than myself.

I have now the honor to place into your Majesty's hands the letter of credence confided to me by the President, and of presenting my best wishes for the health of your Majesty and the royal family, and for the prosperity of the Spanish nation.

Reply of the Queen to Mr. Schurz.

[Translation.]

MR. MINISTER: With true satisfaction I receive the letter which accredits you as envoy extraordinary and minister plenipotentiary of the United States of America in my court, and appreciate most highly the assurances which you give me of the sentiments of friendship which animate the President and those States towards my person and the Spanish people.

I take a lively interest in the prosperity of the nation which you come to represent, and cherish the hope that its relations with Spain will always be maintained in such a way as to satisfy the dignity and interests of both peoples.

I do not doubt that you will contribute with your enlightenment to this object, and that your comportment will make you worthy of the estimation of my government.

I am much gratified, Mr. Minister, with the wishes you express for my felicity, for that of my family, and for the prosperity of the Spanish nation.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,

Washington, July 15, 1861.

The undersigned, Secretary of State, has the honor of addressing Mr. Tassara on the subject of certain vessels belonging to citizens of the United States now, or lately, detained at the port of Cienfuegos, in the Island of Cuba.

Information has been received at this department that a piratical armed steamer called Sumter, on the 6th July instant, entered that port with seven vessels belonging to citizens of the United States, which she had captured, with their officers, and also the officers and seamen of another such vessel which she had captured and burned on the high seas. The department is further informed that the Sumter was, on that occasion, manned by a full

complement of seamen, marines, officers, and firemen; that she carried an armament of five or eight heavy guns, and that thus manned and armed the vessel was supplied with coal and water at Cienfuegos, and was allowed to depart on the same day to a destination unknown.

The undersigned is further informed that the captured vessels were detained in the port of Cienfuegos, and that their crews, together with that of the vessel which had been burned, were set at liberty.

It is the duty of the undersigned to bring this extraordinary transaction to the notice of the Spanish government. This government will cheerfully receive any explanations of it which the Spanish government may feel itself at liberty to give. But in the meantime, assuming the facts to be correctly presented as they are above stated, the undersigned is instructed by the President of the United States to inform the Spanish government that he deems the admittance of the said piratical vessel, the *Sumter*, into the port of Cienfuegos, with the captured vessels and crews before described, her supply there with coal and water, and her permitted departure, to have been in violation of the treaties existing between this government and Spain, as well as of the law of nations; and this government, in this view, will expect the immediate release and discharge of the captured vessels and their cargoes. Reserving the subject of indemnity for the injury inflicted upon the United States by the transaction, as recited, until time for explanation shall have been afforded, the undersigned is nevertheless instructed to ask at once that her Catholic Majesty's government will take effective measures to prevent the recurrence of transactions in the ports of Spain of the kind now in question, which are not more injurious to the commerce of the United States than toward that of Spain herself and of all other commercial nations.

The undersigned is induced to believe that those requests will not only meet prompt attention, but will even be answered in a manner satisfactory to the United States. This belief is founded on these facts: first, a correspondence which has taken place between the consul general of the United States and his excellency the governor general of the Island of Cuba relating to the subject has been submitted to this department, in which correspondence the governor general announces that he has been left without the aid of instructions in the matter, and that he shall abide the directions of his government, in the meantime taking your advice in the premises. Further, this government has been advised by a communication from Mr. Perry, lately acting as chargé d'affaires at Madrid, under date of the 13th of June last, that he was directed by the Spanish government to inform the government of the United States that Spain would prohibit the entrance of southern privateers into any of her ports, peninsular or colonial, and would also prohibit the furnishing of any supplies to the rebels, whether arms, provisions, coals, ships, or any other merchandise, and that armed vessels, with their prizes, would not be permitted to enter the ports of Spain. Moreover, the same mail which brought the information of this transaction, brought also a despatch from Mr. Perry, containing later assurances received from the government of Spain similar to those already recited, together with an official copy of a royal decree of the 15th June, giving legal effect to the promises thus so repeatedly made.

In specifying these particular grounds of confidence for an expectation of a satisfactory disposition of the subject of this communication, the undersigned is by no means to be regarded as excluding the more general assurances of amity and friendship which have been lately exchanged between the two governments, or their habits of good faith and reciprocal justice which have been confirmed by an almost unbroken experience of two-thirds of a century.

In order to elucidate the subject of this note, the undersigned causes to

be annexed thereto a copy of some of the official communications to which allusion has been made, and especially the correspondence between his excellency the governor general of Cuba and the consul general of the United States in that island, and the recent communication from Mr. Perry, together with a copy of the royal decree to which reference has been made.

The undersigned avails himself of this occasion to offer to Mr. Tassara renewed assurances of his high consideration.

WILLIAM H. SEWARD.

SEÑOR DON GABRIEL GARCIA Y TASSARA, &c., &c., &c.

Mr. Seward to Mr. Schurz.

No. 14.]

DEPARTMENT OF STATE,
Washington, July 20, 1861.

SIR: I send you copies of a correspondence which has taken place between this government and Mr. Tassara respecting the detention of several American vessels at Cienfuegos, which were carried into that port by the privateer Sumter, with copies of documents which illustrate the subject.

I regret very much that the captain general did not assume responsibility to deliver up the vessels, and that Mr. Tassara also declined it. It must be apparent that the entire commerce of Spain, as well as that of this country, is exposed to serious embarrassment if her Catholic Majesty's government, under whatever view of the subject, suffers privateers to find shelter, or supplies, or favor.

This government does not doubt that the Spanish government will promptly direct the release of the vessels, with their cargoes.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c., Madrid.

Mr. Schurz to Mr. Seward.

No. 5.]

LEGATION OF THE UNITED STATES,
Madrid, July 22, 1861.

SIR: I have the honor to enclose a copy of the royal order of the 16th of May last, addressed to the captain general of Cuba, and published in the Gazette of the Havana on the 16th June, just published in the official Gazette of Madrid.

It provides that, during the fourteen months after its publication at the Havana, all hard biscuit should be admitted free of duty in Cuba, no matter whence it come; and also the duties on Indian corn, and Indian meal and flour, potatoes, and beans, should be reduced one-half during the same period.

I suppose your attention will have been drawn to this order by the consul of the United States at Havana, and its provisions published for the benefit of our commerce.

It is another indication confirmatory of what has been said by Mr. Perry, in his despatch No. 13, and by myself, in my No. 3, of 18th instant, as to the apparent disposition of the Spanish government to listen favorably to any

propositions for a change in the restrictive system of duties upon our commerce with their colonies.

With the highest respect, sir, your obedient servant,

C. SCHURZ.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Schurz to Mr. Seward.

[Extract.]

No. 6.]

LEGATION OF THE UNITED STATES,
Madrid, August 5, 1861.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 10, 11, 12, and 13. The exequatur for Mr. Little has immediately been applied for.

In pursuance of the instruction contained in your despatch No. 11, I addressed a note to Señor Calderon Collantes, a copy of which is hereto annexed, (No. 1.) I would have solicited an interview with the secretary for the purpose of expressing to him the satisfaction with which the proclamation of the Queen was received by the President, had he not been absent from the capital. In my despatch No. 2 I informed you that on Monday, July 15, the second day after my reception, the Queen left Madrid for Santander, and that the secretary for foreign affairs accompanied her. Santander not being one of the regular summer residences of the Queen, the diplomatic corps remained here, with the exception of a very few members who were specially invited to join the court, probably for the purpose of discussing Neapolitan affairs. It is for this reason that I have not seen Señor Calderon Collantes since the day of my reception by the Queen. Having no business on hand which called for immediate action, I deemed it prudent to follow the example of the rest of the diplomatic corps.

The court will leave Santander on the 13th instant, and then either spend a few days at Madrid, or go directly to La Granja, where the Queen will be joined by the whole diplomatic corps.

* * * * *

I am, sir, with high esteem, your obedient servant,

C. SCHURZ.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Schurz to Señor Calderon Collantes.

LEGATION OF THE UNITED STATES,
Madrid, July 31, 1861.

SIR: Yesterday I received a despatch from the Secretary of State of the United States, informing me that the President has read with the greatest satisfaction the proclamation of her Catholic Majesty concerning the unfortunate troubles that have arisen in the United States, and it affords me the sincerest pleasure to express to your excellency the high sense which the

President entertains of her Majesty's prompt decision and friendly action upon this occasion.

In connexion with the fulfilment of this most agreeable duty, I beg leave to call your excellency's attention to the following telegraphic report, contained in the London "Times" of July 27:

"Advices have been received from Havana to the 10th instant. The privateer steamer Sumter had captured eight American ships laden with sugar on the south side of Cuba. One was burnt, and the other seven were taken by prize crews into Cienfuegos. One report states that the captain general of Cuba had released them. Another report asserts that he had detained them in order to refer the matter to Madrid."

In the latter case I trust her Majesty's government will not hesitate to cause the policy laid down in the royal proclamation to be loyally and promptly carried into effect.

I have the honor to remain, with sentiments of distinguished consideration, your excellency's obedient servant,

C. SCHURZ.

His Excellency DON SATURNINO CALDERON COLLANTES,
First Secretary of State, &c, &c.

Mr. Seward to Mr. Schurz.

No. 18.]

DEPARTMENT OF STATE,
Washington, August 8, 1861.

SIR: Your despatch of July 15 (No. 2) has been received.

Your conduct in regard to your presentation at court is approved.

Your speech was discreet in its points and felicitous in expression. The Queen's reply is entirely satisfactory.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c. *Madrid.*

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, August 9, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has the honor to bring to the knowledge of the honorable Secretary of State of the United States that, according to an official communication of the 28th of July from the captain general of the Island of Cuba, the vessels belonging to citizens of the United States taken into the port of Cienfuegos by the steamer "Sumter" have been set at liberty, the examination of the case proving that they were captured in waters within the jurisdiction of the island, and under unlawful circumstances.

The undersigned avails of this occasion to reiterate to the Hon. William H. Seward the assurances of his highest consideration.

GABRIEL G. TASSARA.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States.

Mr. Seward to Mr. Schurz.

No. 21.]

DEPARTMENT OF STATE,
Washington, August 15, 1861.

SIR: Mr. Perry's despatch, No. 13, dated July 12, was delayed, and only came to hand simultaneously with your own despatch (No. 3) of July 18, which relates in part to the same subject, namely, the negotiation of a treaty between the United States and Spain for the liquidation of claims, and for the melioration of the commercial arrangements between the two governments affecting trade with the Spanish West India colonies. My answer to your own (No. 3) includes all that it seems necessary to say concerning Mr. Perry's communication first mentioned, except one point. That point I shall now consider. Not only would this government cheerfully enter into a treaty raising a joint commission for the settling of pending claims between the two countries, or between their citizens and subjects, but it deems it essentially important and desirable that all such claims should be put into that very proper channel for settlement. But this government does not regard the so-called Amistad claim as having any valid obligation in law or conscience, and can in no case consent to negotiate upon it. While, therefore, we shall not be critical as to the form of words to be used in describing the claims to be submitted to the proposed joint commission, frankness requires that the exception of that supposed claim shall be expressed, or at least distinctly understood.

I am well aware that this instruction differs radically from admissions and acknowledgments heretofore made by several of the predecessors of the President. Each of them has considered the subject for himself, and pronounced upon it according to his own convictions. The new President, under the same obligation, instructs me to make known to you his disallowance of the claim in question. It were, indeed, to be desired that there should be consistency in the action of the government throughout successive administrations, especially where foreign nations are concerned, but justice and reason cannot be safely compromised by any government, even for the sake of preserving perfect consistency with itself through a series of years, and in its intercourse with foreign states.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c., *Madrid.*

Mr. Seward to Mr. Schurz.

No. 23.]

DEPARTMENT OF STATE,
Washington, August 20, 1861.

SIR: Your despatch of the 22d July, No. 5, has been received. The reduction of imposts on certain productions of the United States made by the Spanish government is a favorable step in the right direction, and, as such, will be very gratifying to the people of the United States. Due publicity to the regulation has been given.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c.

Mr. Seward to Mr. Schurz.

No. 26.]

DEPARTMENT OF STATE,
Washington, September 3, 1861.

SIR: Your despatch No. 6, under the date of August 6, has been received. Your note written to Mr. Calderon Collantes on the subject of the reception of the piratical vessel *Sumter* with her prizes at Cienfuegos was eminently proper and is approved. You are already aware that the governor general of the Island of Cuba has released the prizes. I defer further remark concerning that transaction, if indeed any shall now be necessary, until the answer of the minister of foreign affairs to your note shall have been received.

Your attention to my request concerning certain matters in Paris is highly appreciated.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *etc., etc., etc.*

Mr. Seward to Mr. Schurz.

No. 28.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch No. 7, dated August 6, has been received. I can very well understand that you were deeply distressed by the first reports of the battle at Bull Run. Those reports grossly exaggerated a disaster which was sufficiently afflicting in its real proportions. The exultation of persons and classes in foreign nations prejudiced against our country and its institutions is one of the penalties we pay for the civil discord into which we have fallen. But even a very limited experience of human nature will enable us to practice the necessary equanimity in such a crisis. Changes of habit and policy are necessary to national growth and progress. We have had little reason to expect that such changes in our case should always be effected without the occurrence of some disorder and violence. Let us be content that the country has virtue enough to pass the ordeal safely, and that when it is passed, our prosperity will be greater and more assured than ever.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq.,
etc., etc., etc., Madrid.

Mr. Seward to Mr. Schurz, with accompaniments.

No. 30.]

DEPARTMENT OF STATE,
Washington, September 18, 1861.

SIR: I write this despatch with a view that you shall ask permission of Mr. Calderon Collantes to read it to him, and if he shall be disposed to receive it you will deliver a copy of it to him.

Ex. Doc. 1—18

I think that the Spanish government can entertain no doubt that the United States earnestly and even anxiously desire to avert, if possible, any such alienation as might lead to a conflict between the two countries as an episode in the civil war which is unhappily prevailing at the present moment in the southern part of the republic. I am perfectly satisfied that the Spanish government is animated by the same desire. Upon this point I speak sincerely and upon full consideration. I am not equally confident, however, that the consuls of the United States in the Island of Cuba will always, in the absence of special instructions for unforeseen contingencies, exercise the discretion which the interests of our country require.

The government of the United States is not to be misunderstood as fearing to encounter the intervention of Spain in favor of the insurgents of this country, if her Catholic Majesty's sentiments and purposes have been misconstrued. We are aware, we think, of all the perils of our situation, and have not overlooked the not unnatural one of foreign alliances with our disloyal citizens.

The valuable commerce carried on between the United States and the Island of Cuba is often attended with incidents which require the exercise of great discretion and of mutual forbearance to prevent collisions between the consular authority of the United States, allowed by treaties and the law of nations, and the just sovereign authority of Spain.

I desire to state, in a spirit of perfect frankness, what deviation from the usages of revenue and commerce between sovereign states, as recognized by treaty and international law, this government tolerates in the transaction of American commerce in the ports of Cuba, and in all other foreign ports.

When an American merchant vessel arrives in a foreign port, having cleared from a port in the United States which, at the time of her departure, was in the possession of the insurgents, and for that reason she could not have obtained regular papers from officers acting under the authority of the United States, and conformable to the laws of Congress, this government does not insist that she shall be denationalized for that reason. But, on the other hand, it does expect that she shall, in the port where she arrives, be treated in all respects as an American vessel and subject to the consular authority of the United States, and that she shall not be treated as a vessel independent of the laws and consular authority of this nation.

The waiving of the irregularity of the papers in such cases is consented to *ex necessitate*, and for the present time only, and is not to be drawn into precedent. But when this government shall see fit to withdraw this concession, due notice will be given to foreign powers.

I send you copies of papers which have just been received from the vice-consul general of the United States residing in Havana, namely, despatches Nos. 56 and 60, dated the 6th and 10 instant, respectively, with their accompaniments.

These papers furnish some ground to apprehend that the Spanish authorities in Cuba, misinterpreting, as I am happy to think, the royal edict of the 1st of June, are practicing, or are about to practice, upon the principles of seizing an insurgent flag upon American vessels, and denying the consular rights and privileges of the United States in reference to such insurgent vessels in Spanish ports.

I refrain from preferring any complaint concerning the cases mentioned in the papers, partly for the reason that the transactions mentioned therein are incompletely presented, and more for the reason that I am seeking the mitigation of future difficulties by the government of Spain in an amicable manner. I neither make nor ask explanations in these cases. But I desire that Mr. Calderon Collantes will examine the papers, and, after having satis-

fed himself of the true state of the case, will give such directions, if he shall find it necessary to do so, to the colonial authorities as will prevent any recognition whatever in the Spanish ports of the flag of the insurgents, or any disrespect to the flag of the United States, by the Spanish authorities, or any infraction of their consular authority in those ports.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHUBZ, Esq., &c., &c., *Madrid*.

OCTOBER 4.

P. S.—The unavoidable delay which has taken place in the preparation of the accompaniments of this instruction has enabled me to add the transcript of another despatch from the vice-consul general of the United States at Havana, received at the department on the 1st instant, and dated on the 24th ultimo, (No. 63,) relating to the ship "Bamberg" and brig "Allen A. Chapman."

Mr. Savage to Mr. Seward.

No. 56.] CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Havana, September 6, 1861.

SIR: Having learned, on the 30th ultimo, as I might say accidentally, that a vessel had come, several days before, into the port of Matanzas under the flag of the so-called Confederate States, and, notwithstanding the efforts of our consul there to prevent it, had been admitted by the authorities to entry, and to discharge her cargo, which course had been approved of by the superior authority of the island, I addressed the same day a letter to Mr. Martin, calling upon him for information on the subject. No reply having been received on the 2d instant to my letter, I wrote again, and yesterday morning his answer came to hand. A copy of it and the accompanying papers are herewith enclosed. This correspondence contains all the facts relating to that case.

On the same day that I wrote my first letter to Consul Martin I ascertained that the governor general had decided to admit into the ports of the island all vessels arriving under the flag of the insurgents, and to allow them to discharge and take cargo. On the next day I succeeded in obtaining a copy, and it is now accompanied with a translation thereof. This order was transmitted by the intendant general of the army and treasury to the collector general of the maritime revenue; has not been published nor communicated to me in any form; and, although its existence is known to many, the public journals, excepting the Weekly Report in a general way, have not even mentioned it.

In a matter of such import, and feeling the conviction that no suggestions of this office would cause the captain general to cancel that order, I have deemed it expedient not to enter into any correspondence or discussion with him without specific instructions from the department; more especially after reading what Mr. Wheaton advances upon the subject, in pages 32, 33, and 34, Elements of International Law. Moreover, as the Spanish government has always denied to consuls any diplomatic power, I felt apprehensive that my first communication on the subject would be unheeded, or acknowledged

with the remarks that the question comes within the province of our respective governments, and to be settled at Washington or Madrid.

I have the honor to be, sir, with great respect, your obedient servant,
THOS. SAVAGE, JR.,
U. S. Vice-Consul General.

Hon. WM. H. SEWARD,
Secretary of State of the United States, Washington.

His excellency the superior civil governor has, on date of 27th instant, resolved the following:

1st. All merchant vessels proceeding from and wearing the flag of the southern confederacy, employed in legitimate commerce, will be admitted in all the ports of entry of this island, if the documents they may present do not cause the slightest suspicion of piracy, fraud, or any other crime punishable according to the laws of all nations.

2d. Once in our ports, said vessels will be under the safeguard of the neutrality proclaimed by the government of her Majesty the Queen (whom God save) in the royal decree of the 17th of June, and in this understanding they cannot be molested by any foreign agent whilst engaged in their licit operations of entrance and discharge, loading and departure, in said ports.

3d. Therefore, all the civil, as well as naval and treasury, authorities in the ports of this island will consider such vessels, in relation to their admission and clearance, as vessels proceeding from a foreign nation which has no accredited consul in this territory.

Which, by order of the intendant general, I communicate to you for your intelligence and fulfilment of the part that concerns you.

Mr. Savage to Mr. Seward.

No. 60.] CONSULATE GENERAL UNITED STATES OF AMERICA AT HAVANA,
September 10, 1861.

SIR: I have the honor to lay before you copies of correspondence between this consulate and various authorities respecting the ship *Bamberg* and brig *Allen A. Chapman*. By reference to the communications that passed between the commercial court and myself, you will see that I objected to any interference on the part of that court against the action taken by this consulate in respect to the *Bamberg*. I have learned that on receipt of my letter the court cancelled the order it had issued granting permission for the survey and discharge of the ship, and has referred the matter to the governor general.

But on Sunday, the 1st instant, both the "*Bamberg*" and "*A. A. Chapman*," by preconcerted design, prompted by the governor general's order in relation to vessels arriving in open ports of the island under the flag of the so-called Confederate States, put up rebel flags at their fore and main mastheads. The *A. A. Chapman* had the rebel flag of the southern confederacy at the fore, and the flag adopted by Louisiana after she seceded from the Union at the main masthead, the American colors hanging from a rope at the stern. The *Bamberg* had the so-called Louisiana flag at the main masthead, the American at the peak. I consider the so-called flag of Louisiana to be an emblem of rebellion.

My correspondence with the captain general and captain of the port will show the course I have deemed proper to adopt, and I trust it will meet with your approbation.

I have no answer as yet from the governor general. He has probably referred the case for consultation before adopting a decision to communicate to this consulate.

I have the honor to be, sir, with profound respect, your obedient servant,
 THOMAS SAVAGE, Jr.,
Vice-Consul General

HON. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington.

N. B.—I accompany also registers and crew-lists of the *Bamberg* and A. A. Chapman.

THOMAS SAVAGE.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,
September 1, 1861.

SIR: In the month of May last this consulate caused to be posted in the most conspicuous places frequented by American shipmasters the following notice:

"As the President of the United States has officially declared that certain States of the Union are in a condition of open rebellion against the government, and as in time of war *treason consists in giving aid and comfort to the enemy*, therefore I have to inform all masters of American vessels in the port of Havana that this consulate cannot give protection to any vessel claiming to be an American which hoists the rebel flag on any part thereof."

After some demurring on the part of three or four vessels that were at the time lying in this port, the practice of hoisting rebellious flags was discontinued, and the consulate entertained the hope that thereafter no case would occur requiring the enforcement of that notice. But in consequence of an order reported to have been issued recently by your excellency to the collectors of customs and authorities of the island, in respect to vessels that may arrive in her ports bearing the flag of the so-called Confederate States, that offensive practice has been revived to-day by the ship *Bamberg*, James E. Wilner master, and brigantine *Allen A. Chapman*, A. P. Laurent master. Both of these vessels are in this port under registers of the United States of America, and have been hitherto enjoying the protection of our government.

Under the present circumstances, and in obedience to the general instructions of my government, I deem it my duty to withhold from the two vessels above named the protection of the United States, consequently to forbid their using in future the flag of the United States of America. Their papers, evidencing their former American nationality, which are deposited in my office, will be forwarded by me to the government of the United States by the first conveyance.

Consequently, as no connexion can from this day forth exist between those vessels and this consulate, I hereby respectfully request of your excellency to make the above determination known to the masters thereof; and inasmuch as the crews of those vessels have become entitled to their discharge, and to be paid at the office of this consulate the wages and extra wages described by law, I have furthermore to request of your excellency that you will cause the said crews or such part thereof as may be yet attached

to the vessels to be notified of this their right, and the payment of the wages that may accrue to each person to be enforced.

In calling on your excellency for this assistance, I trust that I am asking nothing incompatible with the strictest rules of propriety.

By a prompt attention to the subject-matter of this communication, and an early reply thereto, you will confer a favor on the undersigned, who has the honor to remain, with considerations of great respect and esteem, your excellency's obedient servant,

THOMAS SAVAGE,

In charge of the Consulate General.

His Excellency the GOVERNOR, CAPTAIN GENERAL OF CUBA, &c., &c., &c.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,

September 7, 1861.

SIR: Not having been as yet favored with an answer to the official letter I had the honor to address your excellency on the 1st instant, in relation to the ship *Bamberg* and brigantine *Allen A. Chapman*, I have now respectfully to advise that as to-morrow is Sunday, when all vessels in the harbor are bound, according to the port regulations, to hoist and keep up during the day their national colors, and those vessels will probably show their national colors at the peak, I shall be constrained, in this event, to call upon his excellency the brigadier captain of the port, and request him to cause the said flag to be hauled down. I beg leave to repeat that the said vessels, by the act of their commanders in hoisting rebellious flags at the fore and main mastheads, have forfeited their American nationality, and consequently cannot be permitted to wear the flag of the United States of America.

I avail myself of this occasion to renew to your excellency the assurances of respect and consideration with which I am your obedient servant,

THOS. SAVAGE,

In charge of Consulate General.

His Excellency the GOVERNOR, CAPTAIN GENERAL OF CUBA, &c., &c., &c.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,

September 8, 1861.

MY DEAR SIR, AND OF ALL MY CONSIDERATION: For the reasons set forth to his excellency the superior civil governor and captain general of this island in my communications of the 1st and 7th instant, I have deemed it proper to withhold from the ship *Bamberg* and brigantine *Allen A. Chapman* the protection of the United States flag, not recognizing them as American vessels any longer. As the said vessels have our flag hoisted, I find myself in the necessity of soliciting of your excellency to order that the same be immediately hauled down. And as I must transmit to my government by the steamer *Columbia*, which is to sail on the 10th, the papers of the said vessels, including the roll, I request of your excellency to place that of each of them at my disposal for the purpose. I will on my part furnish

your office with authenticated copies, that it may possess the requisite evidence respecting the crews of both vessels.

I have much pleasure in repeating myself your very obedient servant,

THOS. SAVAGE,

In charge of the Consulate General.

His Excellency the BRIGADIER CAPTAIN of this port.

NOTE.—A notice came on the same day from the captain of the port's office, advising that he was absent, and no action could be taken but by himself.

(Translation.)

MOLINOS,

Captain General's country residence, September 8, 1861.

SIR: An accident, of those which are so apt to occur in public offices that have so much business as those of this government, has been the cause of the mislaying, without being able to find it, of your communication of the 1st instant relative to the ship "Bamberg" and brig "Allen A. Chapman." To avoid, therefore, greater delay in answering it, his excellency directs me to ask you to reproduce it, with the assurance that immediately you do it you will receive a reply thereto, and also to the other representation which you make in your second letter of the 7th.

With this motive, I have the honor of offering to you the assurance of consideration with which I am, very respectfully, your obedient servant,

ANSELMO DE VILLAESCUA,

*First Chief of Bureau, in the office of the
Secretary of the Superior Civil Government.*

THOMAS SAVAGE, Esq.

NOTE.—The above, although appearing in the shape of a private letter, came under the seal of the superior government of Cuba.

[Translation.]

[SEAL.]

CAPTAINCY OF THE PORT OF HAVANA.

I have received your polite communication of yesterday's date, in which you are pleased to state to me that for the reasons you have thought proper to lay before his excellency the superior civil governor, captain general of this island, in communications of the 1st and 7th instant, and that I am ignorant of, you have deemed it expedient to withhold from the ship *Bamberg* and brig *A. A. Chapman* the protection of the United States flag, not recognizing them as American vessels any longer.

The said vessels hoisted on yesterday the flag of the United States, because they appear at this office as such. And as it is ordained in the port regulations that all vessels therein hoist their respective flags, the *Bamberg* and *A. A. Chapman* put up the American, under which they entered the port, and appearing as American.

I felt great regret that I could not make them haul down their flag as

you requested me on yesterday, owing to the lateness of the time in which I received your attentive letter, inasmuch as the masters of those vessels having asked of me on the preceding day (Saturday) to let them know what flag they had to put up on Sunday. I told them clearly that they had to hoist the American, being the only one they could put up, as being the same they had entered with, as evidenced in this office to the present time they are such vessels of the United States.

I have the honor of enclosing the crew lists of said vessels that you call for, hoping that you will please furnish certified copies thereof for record in this office. You will at the same time be pleased to inform me in what situation the said vessels remain after protection has been taken from them by the consulate of your worthy charge.

I have great satisfaction in offering to you the respects of the highest consideration.

God preserve you many years.

BLAS G. DE QUESADA.

HAVANA, *September 9, 1861.*

The CONSUL GENERAL of the *United States.*

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,
September 10, 1861.

SIR: I had the honor to receive on yesterday your excellency's polite communication of the same date, in answer to mine of last Sunday, requesting you to cause the ship Bamberg and brig A. A. Chapman to haul down the American colors which they were flying.

The reason why those vessels have forfeited the protection of the United States under which they entered this port is, that their commanders on the previous Sunday hoisted rebellious flags at their fore and main mast heads, thereby showing their hostility to the government whose protection they had been enjoying and whose flag covered them.

In the first part of May last this consulate gave notice that it could not give protection to any vessel claiming to be American which hoisted the rebel flag, or any part thereof. This was made known to the government of the United States, who approved of it, directing the consulate not to recognize as vessels of the United States any that hoisted any other flag but that prescribed by law.

The masters of the "Bamberg" and "Allen A. Chapman" cannot allege ignorance; they deliberately disregarded the warning given them, and now must abide the consequences of their act; and having no longer the right to wear the American, they must remain without any flag to cover them, for I do not see that they are at liberty to use the colors of any other nation, being unprovided with the requisite papers.

By the United States registers, which the said vessels had been sailing under, the Bamberg is owned by—

Mr. Henry V. Baxter	10-32	} Of New Orleans.
Mr. James C. Wilner, (master)	2-32	
Mr. Charles Sagory	10-32	
Mr. E. M. Brown	4-32	
Mr. P. Pages	2-32	
Mr. Conrad Charles Maletta	2-32	} Of New York.
Mr. William Tyson	2-32	

The Allen A. Chapman is wholly owned by Mr. Stanislas Plassan, of New Orleans.

I transmit herewith certified copies of the crew lists of both vessels for the purposes of your office; and regretting the trouble I have caused you with this annoying affair, I renew the assurances of respect and esteem with which I am your excellency's obedient servant,

THOS. SAVAGE,

In charge of the Consulate General.

His Excellency Brigadier Don BLAS G. DE QUESADA,
Captain of this Port, &c., &c., &c.

No. 63.] CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,
September 24, 1861.

SIR: The accompanying documents form the captain general's answer to my last communication in respect to the ship "Bamberg" and brig "Allen A. Chapman." I leave the matter now in the hands of the department, trusting that the course I adopted towards those vessels will be considered worthy of your approval.

The captain general advised me that the *Bamberg* is to discharge here. Such articles as armament and munitions of war will be deposited in the government stores, and the rest of the cargo will be entered for consumption. His excellency invited me to attend the inspection of her cargo, but I deemed it my duty to decline the invitation. The ship is now at the wharf. It is credited by many that she has since her arrival discharged arms, which have found their way to the southern ports. Though I have had a species of surveillance, nothing has been discovered; and yet I cannot but believe that arms, &c., have been taken out of her, not from under the hatches, but from places of concealment in the cabin and elsewhere, accessible without taking off the hatches. Such things were, of course, not manifested to this custom-house.

I wrote in my last despatch that Captain Laurent, of the A. A. Chapman, sailed for New Orleans in a French war steamer. I now confirm the report, and add that he took many letters from here. In all probability he will return in the same steamer, bringing powers of attorney for the sale of the "Bamberg" and the "Allen A. Chapman."

F. O. Sullivan finally did not go in command of the *Isilda*. A man named Emmerson, who belonged to the rebel steamer *Sumter*, and was prize mate on the Joseph Maxwell, went in her as master. Hicks, the midshipman of the *Sumter*, and two other gentlemen, formerly of the United States navy, went as passengers in the *Isilda*.

The United States schooner *Nonpareil* arrived here yesterday from Key West, to fetch despatches of the British commodore. No news from there.

I have the honor to be, very respectfully, your obedient servant,

THOS. SAVAGE,

Vice Consul General.

HON. WILLIAM H. SEWARD,

Secretary of State of the United States, Washington.

[Translation.]

GOVERNMENT, CAPTAIN GENERALCY, AND DELEGATED SUPERINTENDENCY
OF THE EXCHEQUER OF THE EVER-FAITHFUL ISLAND OF CUBA.

I transmit to you herewith, duly authenticated, a copy of the report made by his excellency the general commanding this naval station, in accordance with the opinion of the legal adviser of the same, upon the subject of the communication of the 13th instant, wherein you were pleased to answer mine of the 12th. I fully concur in the opinions given by his excellency, and pursuant thereto I address, under this same date, her Catholic Majesty's minister at Washington, in order that, by an understanding with the government, may be fixed, in a precise and definite manner, the course which, in cases analogous to those of the "Bamberg" and "Allan A. Chapman," should be pursued, respectively, by you and by the superior authority of Cuba. Thus barren debates will be avoided, and a course adopted consonant with the loyalty and harmony which this government always uses in the treatment of international affairs.

In the meanwhile I will state to you that, for the purpose of exhibiting practically my desire of acceding as far as possible to your requests, I have made known, confidentially, to the captains that they are not to hoist any more the flag of the United States; and they have pledged to the captain of the port their word of honor not to do it.

This communication should terminate here, inasmuch as I have stated I cannot accede in an official form to what is required by you, without anything else being thereby implied, but that I do not believe the moment has arrived for the aid of jurisdiction that you solicit. But I cannot allow to pass unnoticed two remarks made, respectively, in the communications of the 1st and 13th instants, without setting forth in regard to them my manner of appreciating them. The first is the relation you find between the cases of the "Bamberg" and the "Allan" and the circular, which you say was issued by my authority, to the collectors of customs respecting the toleration towards the flag of the seceded States. I will frankly confess to you that I find no connexion or link between the two subjects. In the first the object is not to injure the interests of our national trade, because you already understand Spain never could have bound herself to discontinue her commercial transactions with the south, whatever may be the state of its internal relations with the north. In the other the matter in question is that you require two vessels to be notified that they shall not use the flag under which they entered the port, which was hitherto, and still is officially, according to the papers they produced, that of their true nationality.

The second remark is that my declining to make the notification called for might be interpreted as a species of opposition to your consular authority. Upon this particular I will make only two observations. One is that you are well aware that in all questions hitherto occurring the government of this island has not spared any means of showing its deference to that of the United States, represented by you; examples of which might be adduced, which I omit, not to make this writing too long. The second is that such opposition could not in any way be supposed, when the subject in question solely is that you yourself wish to cut off vessels which till now have belonged to the United States, and have been by you, in conjunction with your government, denationalized, by the fact of taking their papers from them. I consider as sufficiently answered the observations you make upon the subject, without my entertaining, even remotely, the idea that the consulate could have doubted for a single moment of the good faith of this gov-

ernment, in the same manner that I have not doubted or will ever doubt of that which animates you, whose high qualities in all respects I take pleasure in acknowledging.

God preserve you many years.

F^{co} SERRANO.

HAVANA, *September 20, 1861.*

The CONSUL GENERAL of the United States in this city

[Translation.]

COMMANDANCY GENERAL OF THE HAVANA NAVAL STATION,
Havana, September 15, 1861.

MOST EXCELLENT SIR: The auditor of marine of this station, to whom I referred for his opinion upon your excellency's official letter of yesterday accompanying the new communication in which the consul general of the United States insists on his reclamation relating to the use of the American flag by the ship "Bamberg" and brig "Allan A. Chapman," says to me under this date as follows:

"MOST EXCELLENT SIR: I insist in considering that the aid of jurisdiction which, from the superior authority of the island, the consul of the United States again requires in respect to the ship 'Bamberg' and brig 'Allan' should be based or justified upon the opposition or resistance of the captains of those vessels to the orders and instructions given them directly by the consul himself in the circle of his consular functions. And this not from respect to the principle of neutrality, which has no application nor could be violated in the present case, but because his excellency the governor, captain general, is not the medium of communication between the consul of the United States and the masters of the vessels of his nation, nor has there been committed on board of the ship 'Bamberg' or the brig 'Allan A. Chapman' any act which was a disturbance of order or of the peace of the port, or which has violated the laws of the country—the only case that would justify the officious action of the local authorities against the captains and crews of those vessels. It is very true that every government has the exclusive right of prescribing the flags that their vessels are to use, and which they are not to use; but it is also true that the infraction of the laws of a country, while it does not affect others, is only to be proved in the country that made those laws. The ship 'Bamberg' and the brig 'Allan,' as the consul himself states, were received in this port as vessels of his nation duly authorized. Both have hoisted the flags of the United States at the stern, which is the principal place for the national flag; those which are said to be used at the same time at the fore and main mast heads have no official character or signification. If the use of them on any part of a vessel, or for whatever purpose, constitutes a crime in the eyes of the government of the United States, it should be tried before the courts of that nation. Had the consul limited himself to ask that through the captaincy of the port the captain should be ordered not to hoist those flags together with the one that denoted their nationality, he could have easily obtained this proof of deference to the American flag, and of consideration to his government. But in lieu thereof the consul has condemned those vessels to deprivation of their legitimate flag—a penalty which constitutes an indefinite embargo of the same in this port, and a simulated confiscation of the property—a

penalty that does not affect the delinquent captains, but the owners and shippers, who may perhaps have no culpability in the proceedings of the former. So summary a proceeding against the property is not in conformity to our usages, and every species of confiscation is forbidden by our laws. For this reason the consul ought not to deem it strange that the superior authority of this island should hesitate to be officious in a foreign affair which is initiated with such grave proceedings on the part of him who has in this place the character of commercial agent to protect and support the interests of the citizens of the United States, and not the severe office of a judge. It is likewise well founded that if there is responsibility involved in the consul's action, it belongs solely to the government of his nation to demand it of him; but for the same reason his and his only should be the responsibility; and the consul should not unnecessarily demand the foreign assistance, as the authority rendering it might find itself involved therein. The apprehension of being disregarded by the captains is not a sufficient reason to justify that assistance, which, being extemporaneous, would have a character of officious and voluntary. As the consul has already referred the solution of this affair to Washington, transmitting the registers of the 'Bamberg' and the 'Allan,' he might await the resolution of his government, which may perhaps save all future difficulty; and to this end it might be expedient that his excellency the governor, captain general, should also, with a copy of all the communications and reports, bring the subject before his excellency the minister of her Catholic Majesty in Washington, in order that his excellency may be posted up for the event of any communication being addressed to him thereupon by that government, or may avail himself of the occasion, should it present itself, of avoiding other reclamations of the same nature from the consul, if he deems it expedient, or considers himself authorized therefor. Notwithstanding all that is stated, your excellency will be pleased to inform his excellency the governor, captain general, what you may deem most proper."

And in conformity with what is above set forth I have the honor of transcribing it to your excellency in answer, returning the two documents that your official letter refers to. God preserve your excellency many years.

Most excellent sir, in the absence of his excellency the commanding general, the 2d in command.

MANUEL SIVILA.

His Excellency THE GOVERNOR,
Captain General of this island.

Mr. Schurz to Mr. Seward.

[Extract.]

No. 27.]

LEGATION OF THE UNITED STATES,
Madrid, October 9, 1861.

SIR:

* * * * *

After having closed our conversation on the Mexican business, I called Mr. Calderon's attention to a report going through the American and European press that Spain was about to recognize the independence of the Southern Confederacy and to break up the blockade of our southern ports. I added that it was impossible for me to believe that Spain could entertain any such intentions, and inquired whether anything had occurred to give rise to such a rumor.

Mr. Calderon replied with the strongest protestations of good faith and friendship towards the United States. He assured me that nothing could be further from the intentions of her Majesty's government than to depart from the policy indicated in her Majesty's proclamation of neutrality. But, he added, there are things—and, interrupting himself, he asked me whether I had not, within the last two days, received despatches from my government. I answered in the negative. Then he went to his desk and took out a paper, which turned out to be a copy of your despatch (No. 30) addressed to me, bearing date September 18. This despatch, as he said, had been communicated by you to Mr. Tassara, and Mr. Tassara had sent it to him. He handed it to me; and you may well imagine that I was somewhat disagreeably surprised. Instead of my communicating this despatch to him, he communicated it to me, and I found myself obliged to confess that I had not the least official knowledge of a matter to which, according to the contents of the despatch, my government attached the highest importance. Mr. Calderon informed me that he had received the document the day before; that he had at once inquired whether any report had been sent in by the captain general of Cuba; and that, there being none, he was not prepared to give an answer to your despatch. I replied that I would not ask for an answer until I should have received the original of your instructions and the reports of our consular officers on the Island of Cuba; that as soon as I should be in possession of these documents, I would lay them before him, and then discuss the matter with him in all its bearings. He replied that this would be agreeable to him, but that it would be impossible for him to give a definite answer without having heard from the captain general of Cuba.

* * * * *

I am, sir, with the greatest respect, your obedient servant,

C. SCHURZ.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Schurz to Mr. Seward.

[Extract.]

No. 30.]

LEGATION OF THE UNITED STATES,
Madrid, October 17, 1861.

SIR: After having waited for the arrival of your despatch No. 30 until yesterday, I deemed it necessary to make an effort to obtain an answer from Mr. Calderon as to the general merits of the case. I therefore called on Mr. Calderon yesterday, and have the honor to transmit a report of our conversation.

I noticed, in the course of that conversation, that Mr. Calderon, although he denied the receipt of official communications from the captain general of Cuba, seemed to be well informed of what had happened there, while I had no other knowledge of the facts referred to in your despatch than a general impression gathered from newspaper statements, which, in this case, had been distressingly indefinite and contradictory.

You will notice that, in my conversation with Mr. Calderon, I confined myself entirely to putting questions, partly because I was ignorant of what actually had happened, and partly because I consider it impolitic, under present circumstances, to join issue with foreign governments on things

which may or may not happen. The latter is especially applicable to the case under consideration.

* * * * *

I am, sir, your obedient servant,

C. SCHURZ.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Memorandum of a conversation between Mr. Calderon Collantes and Mr. Schurz on October 16, 1861.

Mr. Schurz informed Mr. Calderon that the original of Mr. Seward's despatch [No. 30,] a copy of which had been forwarded by Mr. Tassara to him, (Mr. Calderon,) had not reached the American legation, and that he was therefore unable to lay before Mr. Calderon the reports of the consular officers of the United States alluded to in the despatch; but that he considered it important that a matter which was so apt to lead to disagreeable consequences should be promptly disposed of, and that he therefore requested Mr. Calderon to state the views of the Spanish government in a general manner, even if it was impossible, in the absence of special information, to judge of the exact merits of the cases which had occasioned Mr. Seward's despatch.

Mr. Calderon replied that he had received no official communication on this subject from the captain general of Cuba, but that he was prepared to make the following statement:

Spain had followed, in relation to vessels coming from the ports of the so-called Southern Confederacy, the same rules of action which she had adopted in the case of vessels clearing from the ports of the kingdom of the Two Sicilies after the assumption of royal authority in that kingdom by King Victor Emanuel. It was well known that Spain had not recognized the so-called kingdom of Italy, and that the consular agents of King Francis I were still exercising their functions in the Spanish ports. Nevertheless, Spain did not oblige the masters of vessels arriving in Spanish ports from the ports of the kingdom of Naples to submit to the authority of the consuls of Francis I, but permitted them to address themselves either to these or to the consular officers of King Victor Emanuel, as they saw fit. But this permission given to vessels coming from the Neapolitan ports to transact their business with the consuls of Victor Emanuel was by no means intended to imply a recognition of the Italian kingdom; for Spain recognized in the kingdom of the Two Sicilies no other authority as lawful and legitimate than that of King Francis I.

In like manner it was permitted to vessels coming from the ports now under the control of the so-called Confederate States, upon their arrival in Spanish ports, to address themselves to the consular authorities of the United States, if they saw fit to do so; but, as in the case of vessels coming from Neapolitan ports, Spain did not think proper to oblige them to do so. This practice, however, was by no means intended to imply, in any manner, a recognition of the so-called Confederate States as an independent nation.

But in the case of these vessels the action of Spain was still more justifiable than in the case of the Neapolitan vessels. The government of the United States was, with its naval forces, blockading the southern ports, and it was their business to see to it that no vessels should escape from the ports thus guarded. It could not be expected of Spain to supply the deficiencies of the maritime police of the United States, nor was it reasonable to expect

that she should turn away from her ports vessels engaged in ordinary peaceful commerce, and which had not been able to obtain regular papers even if they had wanted to do so. Nor could Spain oblige such vessels by force to submit to the authority of the consular officers of the United States. Spain was acting solely with a view to the protection of her commercial interests, and nothing else.

Mr. Schurz replied that the only ground upon which such proceedings could legitimately be placed was that of necessity, and asked Mr. Calderon whether this was the ground taken by the government of Spain.

Mr. Calderon replied that it was. It was nothing but an *ex necessitate* proceeding, and that as soon as that necessity ceased the Spanish government would cease to follow that rule of action.

Mr. Schurz asked whether the Spanish government would admit into its ports vessels without papers regularly issued by the authorities of the United States as soon as the authority of the government of the United States should be re-established in the southern ports.

Mr. Calderon answered that they would not, because then the necessity would cease. But he would not admit the ground taken by Mr. Seward in his despatch, that the admission of vessels without regular papers under the actual state of things depended on a "concession" on the part of the government of the United States, which might be granted or withdrawn at pleasure. The Spanish government claimed a right to adhere to its rule of action as long as the necessity existed. But he protested most emphatically against the construction placed upon this rule as implying a recognition of the so-called Confederate States; the government of Spain did not think of taking such a step and of interrupting the friendly relations existing between the two countries, the preservation of which was undoubtedly considered important by the United States, and had always been sincerely desired by Spain.

Mr. Schurz replied that, as to these peaceful relations, the United States desired to preserve them with equal sincerity, not because they were afraid of a conflict, but because they loved peace. He added that if Spain in this case followed an established policy, founded on precedent, he did not wish to carry the discussion further at present, especially in the absence of all reliable information as to the recent occurrences in the ports of Cuba; but he wished to say that while the United States would set up no unreasonable pretensions, any act on the part of a foreign government which might be justly interpreted as a recognition of the independence of the States now in rebellion against the legitimate government of the North American republic would necessarily and inevitably lead to a rupture.

Mr. Calderon repeated that no such intention was entertained by the government of Spain, which entertained none but friendly feelings towards the United States. He informed Mr. Schurz that he was about to address a despatch on this subject to Mr. Tassara, which the latter would be instructed to read to Mr. Seward.

Mr. Schurz to Mr. Seward.

No. 33.]

LEGATION OF THE UNITED STATES,
Madrid, October 20, 1861.

SIR: Last night I called upon Mr. Calderon, for the purpose of reading to him the memorandum of our conversation of the 16th instant. After having suggested some additions, which were forthwith incorporated into the report,

he approved it as correct. He informed me that he had meanwhile received an official communication from the captain general of Cuba on the occurrences which had occasioned your despatch No. 30, and that he would read it to me at our next interview. He wanted to prove to me that the Spanish government had acted with entire fairness and loyalty in this transaction. I informed him that the London "Times," of October 16, contained the following telegraphic despatch:

"There are several vessels loading ammunition at Havana for the confederates."

And asked him whether he knew anything of this.

Mr. Calderon exclaimed at once, with great warmth: "That is impossible; it cannot be true. This would be a violation of the royal decree of the 17th of June, and will never be tolerated. General Serrano cannot have permitted this."

I replied that I was happy to hear him express his opinion so unequivocally and emphatically; for it would be impossible for the government of the United States to look on quietly while the Cuban ports were used as war depots for the rebels.

Mr. Calderon assured me repeatedly that this telegraphic despatch would most certainly turn out to be unfounded, and reiterated in very strong language the assurance of the loyal and friendly feelings of the Spanish government towards the United States, and of its firm determination to adhere faithfully to the principles laid down in the royal decree.

I am, sir, with high respect, your obedient servant,

C. SCHURZ.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Acting Secretary of State to Mr. Schurz.

[Extract.]

No. 46.]

DEPARTMENT OF STATE,
Washington, November 5, 1861.

SIR: Your despatch of September 2 (No. 13) was duly received.

* * * * *

I am gratified to learn that the public opinion around you is less injurious than formerly. I trust that it is the beginning of a better understanding in Europe of the real character and determination of the American people.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

CARL SCHURZ, Esq., &c., &c., &c., *Madrid.*

Acting Secretary of State to Mr. Schurz.

No. 47.]

DEPARTMENT OF STATE,
Washington, November 5, 1861.

SIR: Your despatch of September 5 (No. 14) was duly received. It is very interesting, and I deeply regret that, owing to its having been accidentally mislaid, it failed to receive earlier attention.

Spain is engaged in her proceedings against Mexico. The United States are repressing an insurrection which, while it has attained formidable dimensions at home, reveals itself abroad in efforts to instigate foreign intervention. While it would be eminently desirable to make new friends, or at least to fortify existing friendships with foreign nations, the circumstances are so unpropitious as to make us content with averting new misunderstandings and consequent collisions.

You have correctly interpreted to Mr. Calderon Collantes the public sentiment of this country in regard to Spain. We not only seek no controversy with her, but are desirous to stand in the most friendly relations towards her. We are watchful, as we must be, of every fact or circumstance that seems to indicate a disposition on her part to favor or encourage the insurrection with which we are contending. We know our ability to maintain the integrity of the republic, and we intend to maintain it. We desire that when it shall have been completely re-established it shall be found that nothing has been done in the meantime by Spain, or by any foreign nation, to serve as causes for alienation. We are a peaceful state. Indeed, we think that the American Union is the guarantee of peace to the whole world. But like every other state we are jealous of our rights, and must maintain them.

Mr. Calderon Collantes could hardly have a better assurance of our desire for peace with Spain than the fact, which you might communicate to him, that even the unjust and ungenerous strictures of the Spanish press, which so naturally and so justly drew out your remonstrance, failed to excite the least sensibility on the part of this government.

This government neither has now, nor is likely to have, any schemes, or, indeed, any purpose, of conquest or aggrandizement. It seeks to extend its influence throughout this hemisphere and the world, not by the sword, but by commerce and by postal communication. It has practically guaranteed Cuba to Spain for many years heretofore, and it has no design against that possession or any other possession of Spain now; but it will not look with favor upon any policy that shall make that island the fulcrum of a lever for overthrowing either this Union or the institutions of human freedom and self-government which are identified with its existence.

We want a commercial treaty with Spain, and are willing to adopt a liberal principle of reciprocity to secure it; but we shall not urge such a measure now, when both parties are too deeply engaged to consider the matter with the intense attention necessary to a mutual understanding upon points so difficult.

We should be glad to effect a measure for the adjustment of mutual commercial claims, but we cannot admit that the Amistad claim has any foundation in justice or moral right. It is for Spain to refuse to treat with us upon this ground if she thinks it sufficient. We can only regret it, and wait for her to reconsider the subject.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

CARL SCHURZ, Esq., &c., &c., &c.

Mr. Seward to Mr. Schurz.

No. 50.]

DEPARTMENT OF STATE,
Washington, November 9, 1861.

SIR: Your despatch of October 20 (No. 33) has been received.

I trust that, with the good disposition manifested by Mr. Calderon Colantes on the occasion you have described, we shall be able to avert serious embarrassments of our affairs in the colonies of Spain.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c.

Mr. Seward to Mr. Schurz.

No 52.]

DEPARTMENT OF STATE,
Washington, November 11, 1861.

SIR: Your despatch of October 17 (No. 30) has been received. I am surprised at the miscarriage of my despatch No. 30. I have, however, directed a copy of it to be sent to you. Mr. Tassara has shown me certain explanations made to him by the captain general of Cuba, and I have in turn modified the opinion which I had formed concerning his action in relation to the matter complained of by the vice-consul general. I do not think it necessary to press the subject of my despatch No. 30 under these circumstances. With the gradual action of the government in restoring its authority at home, I look to see less disposition to treat it with disrespect abroad.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., &c., &c., &c.

ROME.

Mr. Seward to Mr. King.

No. 2.]

DEPARTMENT OF STATE,
Washington, April 29, 1861.

SIR: I am to instruct you what to do, and of course what not to do, as resident minister of the United States at Rome. In order to understand the wishes and expectations of the President, please consider first the condition of Rome, and then the condition of the United States.

Rome, to a degree hardly comprehended in this country, is protected by the veneration of a large portion of mankind for his Holiness as the expounder of faith and the guardian of religion. Nevertheless, his government is surrounded by the elements of political revolution.

The United States are on the verge of civil war. It happens to them now, as it happened to ancient Rome, and has happened to many other republics, that they must make the trial whether liberty can be preserved while dominion is widely extended. What then shall we say or do in regard to Rome, or what ought Rome to say or do in regard to us?

Assure the government of his Holiness that the President and the people of the United States desire to cultivate with it the most cordial and friendly relations; that we will not violate the friendship already so happily existing by any intervention in the domestic affairs of the States of the Church. Assure his Holiness that it is the settled habit of this government to leave to all other countries the unquestioned regulation of their own internal concerns, being convinced that intrusion by a foreign nation anywhere tends only to embarrass rather than aid the best designs of the friends of freedom, religion and humanity, by impairing the unity of the state exclusively interested.

What ought Rome to do in regard to the United States? Just what I have thus said they will do in regard to Rome. We could not ask or consent to receive more, and the government of his Holiness will not propose to do less, for he is a friend to peace, to good order, and to the cause of human nature, which is now, as it always has been, our cause.

Let the government of Rome set this example and exercise its great influence in favor of a course of natural justice among nations, and the United States will still remain at peace with the whole world, and continue hereafter, as hitherto, to be the home of civil and religious liberty, and an asylum for the exiled and the oppressed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

REC'DS KING, Esq., &c., &c., Rome.

Mr. Seward to Mr. Stockton.

No. 13.]

DEPARTMENT OF STATE,
Washington, April 30, 1861.

SIR: An instruction, numbered 2, and dated the 29th instant, has been addressed to your successor, Mr. King, of which, as it relates to a subject of present moment, I have deemed it expedient to send you a transcript, which you will find enclosed. It is thought desirable that the views therein expressed should be communicated to the Papal government without delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN P. STOCKTON, Esq., &c., &c., Rome.

Mr. Stockton to Mr. Seward.

WASHINGTON, September 14, 1861.

SIR: I have the honor to inform you that I left my post of duty on my return home on the 6th day of June last. But before doing so, according to the tenor of my despatch, (No. 48,) I communicated the contents of the instructions of the department to Mr. King (No. 2) to the government of his holiness.

I translated all those points of the despatch which I thought necessary into Italian, and left it with his eminence as a memoranda. I informed his eminence, the secretary of state, that although the despatch was addressed to my successor, I should be most happy to take charge of a reply, as Mr. King had not yet arrived in Rome. His eminence said that he could not know the contents of instructions of the government of the United States to Mr. King except privately. Officially Mr. King should be received before any communication directed to him could be noticed. It was impossible for him to reply; a reply was not appropriate to the occasion.

I suggested that he could state to me privately his views, which I would communicate to the government, although my official position was ended.

His eminence consented to this, and then said, in substance, as follows: He said that the Catholics of the United States, as Catholics, as a church, would take no part in the matter; it would not be proper for them to do so. As citizens he had no doubt they would all feel a great concern at our internal dissensions. He added, you are aware that the government of his holiness concerns itself mainly in spiritual matters, but we are the supporters of law and order everywhere. He said he regarded the United States as a great and free country, and he hoped that I would be assured that the kind sentiments of our government to the Holy See were appreciated and reciprocated.

I do not pretend to give either the words or a verbal translation of the expressions of his eminence, but I am sure that I have fairly stated the substance of the conversation.

Perhaps it is not improper for me, in concluding my mission, to say that I parted from his holiness with a profound sense of the kindness and consideration I had always received from him, and with sentiments of the highest regard and esteem for his character.

I have the honor to remain, very truly yours,

JOHN P. STOCKTON,
Late United States Minister at Rome.

HON. WILLIAM H. SEWARD,
Secretary of State.

RUSSIA.

Mr. Seward to Mr. Clay.

No. 3.]

DEPARTMENT OF STATE,
Washington, May 6, 1861.

SIR : Nations, like individuals, have three prominent wants; first, freedom; secondly, prosperity; thirdly, friends.

The United States early secured the two first objects by the exercise of courage and enterprise. But, although they have always practiced singular moderation, they nevertheless have been slow in winning friends.

Russia presents an exceptional case. That power was an early, and it has always been a constant friend. This relationship between two nations, so remote and so unlike, has excited much surprise, but the explanation is obvious.

Russia, like the United States, is an improving and expanding empire. Its track is eastward, while that of the United States is westward. The two nations, therefore, never come into rivalry or conflict. Each carries civilization to the new regions it enters, and each finds itself occasionally resisted by states jealous of its prosperity, or alarmed by its aggrandizement. Russia and the United States may remain good friends until, each having made a circuit of half the globe in opposite directions, they shall meet and greet each other in the region where civilization first began, and where, after so many ages, it has become now lethargic and helpless. It will be your pleasing duty to confirm and strengthen these traditional relations of amity and friendship.

Assure his Imperial Majesty that the President and the people of the United States have observed with admiration and sympathy the great and humane efforts he has so recently made for the material and moral improvement of his empire by the extension of telegraphs and railroads, and by removing the disabilities of slavery.

Make it your duty to inquire whether the sluggish course of commerce between the two nations cannot be quickened, and its volume increased. Russia is capable of receiving cotton and tobacco from us in much larger quantities than we now send. The former is not a staple of that country, and although it produces tobacco, yet not of so high a quality as that which we send abroad, and of which Russia consumes more than any other nation.

We can well receive from that country increased quantities of hemp and flax, tallow, and other productions in exchange.

Russia is liberal to our inventors, engineers, and machinists; but vicious adventurers too often abuse this generous encouragement by fraudulent practices. See if you can devise a plan for correcting this evil. I suggest that it might be done by effecting free interchange of newspapers and scientific journals.

A Russian landing at New York can cross this western continent without once being required to exhibit a passport. Why will not Russia extend the same hospitality to us, and enable the American citizen, when he debarks at Revel, to cross the eastern continent in like manner unquestioned. The American abroad is not more than the Russian a propagandist, and while Russia pursues the general policy of the present reign it can have nothing to fear from American influences.

In another paper which accompanies this your attention is especially di-

rected to the subject of amendments of the international code of maritime law in regard to neutrals, proposed in 1856 by the congress which was then sitting at Paris, of which body Russia was a member.

If nations were now, as in ancient times, morally independent and unsocial, the President would not have occasion to address our representatives in Europe on the painful events which are subjects of intense solicitude at home. But the world has, in a measured degree, become one commonwealth. Nations favor or discourage political changes in other nations, and exercise influences upon their success and fortunes, sometimes from interest, sometimes from sympathy, and sometimes from caprice.

Although this general fact is so well understood, yet the President indulges so uncompromising a sense of the national dignity and honor, that he, nevertheless, would not suffer a word on the subject to escape from the lips of one of our ministers abroad, if our discontented fellow-citizens who have raised the standard of insurrection had not sent out their agents to propitiate foreign powers and engage their co-operation in the desperate attempt they are making to overthrow the institutions and the liberties of the American people.

You will, of course, meet such agents in Russia. They have some advantages in Europe of which you should be warned.

What is now the insurrectionary party in the United States has been for near forty years, and until the fourth day of March last, the dominant party in the administration of this government. It has acquaintances and friendships in high places there, the growth of long intercourse in foreign courts, with the prestige of political authority. The late minister to Russia returned, however, to be the governor of South Carolina at the moment when that State was in the very act of inaugurating the present revolution.

When those agents shall present themselves at St. Petersburg, his Imperial Majesty, before granting them a hearing, will naturally address himself to you, and will ask you: What is the cause of this revolution? What is its object? Why does the government resist it? What is the present condition of the revolution, and what are its prospects? What are the probable consequences of its success, or of its failure? And, finally, what does the President desire or expect from his Imperial Majesty in regard to it?

The President will not forget, nor will he allow you to forget, that he is the magistrate of the insurrectionary, as he is also of the loyal States, and in all his dealings concerning the plotters, aiders, and abettors of this great conspiracy he will constantly remember that the people in whose name they act, and whose power they abuse, are still citizens of the republic. He believes, however, that you may answer all the questions thus contemplated without compromising the impartiality of this government, or the dignity and honor of the federal Union.

As to the cause of the revolution, you will inform the Russian government that African slavery was found existing in nearly all the States, when, seventy years ago, they met, and by a written Constitution established that Union. It was expected that under the operation of moral, social, and political influences then existing the practice of slavery would soon cease. The foreign slave trade was adopted to favor that end, while the vacant common domain which lay between the Alleghany mountains and the Mississippi river was shut up against slavery by legislation then believed to be effective and eternal.

Cotton soon afterward became an object of great commercial demand; the soil and climate of those States of this Union which are situate near and upon the Gulf of Mexico were favorable to its growth, and African slave labor existed therein practically to the exclusion of the labor of free white men.

The raising of slaves of the African race to supply the wants of the cotton growing States became a prominent economical interest in the grain and tobacco growing States adjacent to the former class of States. The interest of slavery became at once the basis of the policy, and even of the polity of these two classes of States, and by political, social, and commercial connexions those interests secured a strong and even controlling influence throughout the whole Union, and even in all foreign commercial countries. This interest of slavery was jealous and apprehensive of danger from the growth of the democratic element of free white labor, which all the while has been constantly augmented by native increase and immigration from Europe.

The several States in the Union, whatever be their population, enjoy equal representation in the Senate. Congress may, and from manifest causes must, admit new States into the Union. The slave holding interest naturally desired to extend slavery and multiply slave States. The free States necessarily desired, as they constitutionally might, to prevent the extension of slavery in regions where it did not exist or had been abolished, and so to multiply free States.

The acquisitions of new domain by purchases from France, Spain, and Mexico, to be the seat of future States, opened a wide theatre for this contest, and the contest itself by degrees came to be a chief feature in the debates of Congress, and in the canvasses of the popular elections.

The interest of slavery was consolidated and compact in the slave States, and acquired great power by threatening that if overruled those States would secede and dissolve the Union, which the free States traditionally, as well as justly, regarded as fatal to the prosperity, safety, and happiness of the whole American people. Statesmen of all classes and all parties, on that ground, continually conceded, and Congress and the judiciary constantly compromised with the slave interest, in opposition to steadily advancing popular convictions of right, duty, and patriotism, until at last all legal barriers against the extension of slavery were, in one way or in another, thrown down. Transactions so unnatural roused the interest opposed to slavery to renewed effort in the popular election of the last year, and that election resulted in the choice of the present incumbent for the office of President of the United States, although without a majority of either house of Congress identified with this interest.

The party of slavery, which had thus, for the first time, been distinctly, though not completely, unsuccessful in a popular election, instantly, and four months before the constitutional period assigned for the inauguration of the new President, took an appeal from the verdict of the people, rendered through the ballot-box, to the sword, and organized a revolution with civil war.

Such was the cause of the revolution. Its object is to create a nation built upon the principle that African slavery is necessary, just, wise, and beneficent, and that it may and must be expanded over the central portion of the American continent and islands without check or resistance, at whatever cost and sacrifice to the welfare and happiness of the human race.

The government of the United States resists this revolution for reasons too many to be hastily set forth.

It is absolutely unnecessary. All existing interests of slavery are protected now, as heretofore, by our federal and State constitutions, sufficiently to prevent the destruction or molestation of the institution of slavery where it exists, by federal or foreign intervention, without the consent of the parties concerned. The policy of fortifying and extending slavery in regions where it has no existence is injurious, vicious, and eminently dangerous to our own country and to mankind.

Dismemberment of the Union, however effected and for whatever cause, would be destruction of the safety, happiness, and welfare of the whole American people, and would, by its influence, render the present establishment of any popular form of government impracticable in an age and in a region where no other than just such a form of government is known or could be tolerated.

The condition of the revolution is this, namely: In the United States the people always exercise a direct and potential influence upon the government. They were at first incredulous of the fact that a revolution so unnecessary, so unnatural, and so fatal, was seriously intended. They saw it move steadily on, but were beguiled by the appeals of mediators, who proposed at once to avert disunion and to prevent the calamity of civil war. The government was temporarily demoralized by the presence of the conspirators in controlling numbers in the administration, in Congress, in the army, in the navy, and in every department of the public service. But at last, when it became clearly revealed that nothing less than subversion of the federal republic would satisfy the insurgents, and that the forbearance and moderation of the government towards them were abused to the purpose of preparing a deadly and desolating war, the loyalty of the people suddenly awakened; the government, sustained by popular enthusiasm and energy, has put forth all the necessary power; the revolution has at once been checked, and it is no longer doubtful that it will be promptly and effectually suppressed.

It had its origin in disappointment; and it depends for continuance only on popular passions, the occasion for which has passed away, while such passions are not in harmony with the character, sentiments, and habits of the American people.

When it shall be seen, as it soon will be, that the effort to overthrow the government is hopeless, the misguided citizens who have joined themselves to the revolutionary standard will resume their accustomed habits of reason and reflection, and the Union, having surmounted a new and formidable danger, will be stronger than ever before.

What would be the consequences of the revolution if it could be successful? The answer is obvious. At first, division of this great and hitherto peaceful and happy country into two hostile and belligerent republics. Later, a resolution of each of those two republics into an indefinite number of petty, hostile, and belligerent States. Local jealousies, continually agitated, would, early or late, be aggravated by the horrors of a servile war, filling the whole country with desolation. The end would be military despotism, compelling peace where free government had proved an absolute and irretrievable failure.

The equilibrium of the nations, maintained by this republic, on the one side, against the European system on the other continent, would be lost, and the struggles of nations in that system for dominion in this hemisphere and on the high seas, which constitutes the chief portion of the world's history in the eighteenth century, would be renewed. The progress of freedom and civilization, now so happily inaugurated, would be arrested, and the hopes of humanity which this the present century has brought forth would be disappointed and indefinitely postponed.

What will be the consequences of the failure of the revolution? The continuance of the country in the happy career that it has pursued so auspiciously, to the repose of nations and to the improvement of the condition of mankind.

What does the President require or expect from the Emperor of Russia? That sovereign is expected to do just what this government does in regard to Russia and all other nations. It refrains from all intervention whatever in their political affairs; and it expects the same just and generous forbear-

ance in return. It has too much self-respect to ask more, and too high a sense of its rights to accept anything less.

The high character of the government of Russia warrants these moderate and just expectations.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., &c., &c., &c.

Mr. Appleton to Mr. Black.

[Extract.]

No. 12.]

LEGATION OF THE UNITED STATES,
St. Petersburg, December 31, 1860, (January 12, 1861.)

SIR:

* * * * *

Here, as elsewhere in Europe, the late agitations in the United States, which have followed the election of the republican candidates for President and Vice-President, have been observed with the deepest interest. The President's message was published in full as soon as it was received, together with copious comments on it from the leading journals of England and France. A weekly letter on American affairs is also published in the *St. Petersburg Journal*, purporting to come from New York, but doubtless made up in London, while on the arrival of every steamer from the United States the same journal receives by telegraph its most important items of news. Yesterday, for example, we had news from New York to December 28. Although the intelligence thus far, in reference to the preservation of the Union, has been uniformly bad, I think the general belief here is still favorable to some amicable adjustment. European statesmen have seen so many violent agitations spring up and subside in our country, that they expect to see this one take the same course. They cannot understand, moreover, how a great government like ours, whose career has been eminently prosperous, can be suddenly destroyed without any apparent cause, by the very people who are themselves a part of it, and who are daily receiving its benefits. They have never seen an American citizen abroad who did not glory in the American name, and boast, with honest pride, of our popular institutions. They have never seen an American journal either where this same spirit was not manifested of satisfaction with the American Constitution, and of attachment to the American form of government. Under this government they have seen our country advance in population, and territory, and wealth, and honor, as no nation on earth was ever before permitted to do, and this progress, instead of exhausting its energies, has seemed to them to inspire it with new vigor for its future growth. They have regarded it, also, as one of the striking peculiarities of our republic, that while its national developments and national glory have been thus marvellously grand, they represent, at the same time, an amount of individual advancement and personal happiness which can be found nowhere else beneath the sun. They cannot persuade themselves that a government thus idolized apparently by its citizens, under which these great results have been already worked out, and under which still greater results may fairly be anticipated, is really about to be destroyed in the midst of its usefulness and by the hands of its own people. Still less can they comprehend the method of peaceable seces-

sion by which this destruction is sought to be accomplished. They have no idea of a government which exists only at the will of a small minority of its citizens, or of a revolution in which weakness is permitted to triumph over greatly superior strength. They have no sympathy with the idea of State secession any more than with the system of negro slavery, and they will be slow, therefore, to give back their old confidence in the United States, even if the present difficulties there should be happily surmounted, unless, indeed, they can understand at the same time that the right of secession, which is now so earnestly claimed, has been substantially abandoned throughout the country, and is not likely to be again insisted on in any practical form. If, however, the existing difficulties shall not be surmounted, and under the influence of this doctrine the Union shall be broken up, the result will be hailed undoubtedly by the cabinets of Europe as a conclusive proof of the instability of popular institutions; and the destruction of the American government will be a calamity, therefore, not only to those who enjoy its benefits at home, but to those oppressed people also in the Old World, whose hearts are now cheered by the knowledge of its existence, and whose eyes are turned daily towards it for support and consolation. Yet those governments on this side of the Atlantic, who have looked to our republic as the only maritime check in the world upon Great Britain, will not be quite satisfied to see this counterpoise disappear, and that haughty power restored to its old position of mistress of the seas.

The great events which are now in progress in the United States will continue to be regarded, therefore, with the deepest interest throughout Europe, until they shall have reached their end. In the meantime I cannot describe to you the painful anxiety with which those Americans who are abroad await now the arrival of every mail from home. Amidst the wars and convulsions of Europe we have been accustomed to look towards the great republic as the assured and constant abode of tranquillity and happiness, and we have rejoiced always in the conviction that, by our right of citizenship there, we possessed a title and an honor which, making each American himself the equal of a king, could receive no added dignity from any royal order or imperial decoration. We have all had the happy consciousness, moreover, that when our duties abroad should be closed we had a country to return to, where we should find safety for our lives and property, and numerous avenues wide open to prosperity and honor and happiness. To see all this crumbling away before our eyes—our country breaking into pieces—our citizenship changing from a glory to a shame—our hopes in the future clouded over with doubt—anarchy, possibly, taking the place of good government—civil war substituted, perhaps, for peace and harmony—and ruin threatened to every valuable interest which man can cherish. The bare possibility, I say, of such results as these, deeply painful as it must be to our fellow-citizens at home, who yet have the consolation of being able to struggle step by step against them, is even more painful to those of us who are abroad, and who hear of events only at fixed intervals, without the preparation of their gradual approach, and without any power whatever to prevent them. Let us hope even yet that the God of our fathers will not permit their children to be the instruments and the victims of so vast a calamity, but that oil may yet be poured upon the heaving waters, and the ship of state may yet outride the storm. I am one of those who have never believed that it could be possible to dissolve the American Union. I thought it was protected by too much plighted faith, by too many sacred associations in the past, by too much admitted usefulness in the present, and by too many thick coming glories in the future, ever to be seriously in danger of destruction. If in this, however, I have been mistaken, and the earth is really to

be shadowed now by the great calamity, may God have mercy upon those misguided men by whose folly and wickedness it will have been accomplished.

* * * * *

I am, very respectfully, yours,

JOHN APPLETON.

Hon. J. S. BLACK,
Secretary of State, Washington.

Mr. Appleton to Mr. Seward.

[Extract.]

No. 16.]

LEGATION OF THE UNITED STATES,
St. Petersburg, April 8-20, 1861.

SIR: The despatch of the department No. 10 and your circular of March 9th have been received, and I have had several interviews with Prince Gortchacow on the subject of them. Although no agent was here from the Confederate States, and none was immediately expected, I still thought it only prudent that your views in reference to these States should be known by the Russian government, in order that it might be prepared for the question of recognition whenever it should be presented. I, therefore, handed to Prince Gortchacow a copy of President Lincoln's inaugural address, and read to him, at the same time, such portions of the despatches I have mentioned as seemed to me most important, particularly calling his attention to those passages which declare the unquestioned legality of the existing government, the revolutionary nature of the movement which had been made against it, and the full confidence of the President that the harmony of the Union would be soon restored. In support of these views I added such suggestions of my own as I thought appropriate, and expressed the hope that our government might receive from Russia, at this crisis, a renewed manifestation of that friendly disposition which had always marked the intercourse between the United States and that empire. Prince Gortchacow replied that the question of recognizing the Confederate States was not now before the Emperor, and for the present he did not think it would be. I might assure you, he said, that his Majesty was not unmindful of the friendly relations which had so long subsisted between the two countries, and that he sincerely desired the harmony and prosperity of the Union. It was the only commercial counterpoise in the world, he added, to Great Britain, and Russia would do nothing, therefore, to diminish its just power and influence. It was only frank, however, to say, that while things continued as they were, the commerce between the Confederate States and Russia would not be interrupted. There was no blockade of southern ports, and any informality in the papers of ships which cleared there would be overlooked. This, he said, was the course determined on by England and France, and he understood it was pursued also by our own government. I told him I had no specific instructions on this point, and did not know what rule had been adopted concerning it by other nations. It seemed to me, however, that American ships ought to carry the American flag and be provided with American papers; and if this was not done or, still more, if the American character was repudiated, I hardly saw how they could be recognized as American ships. He said there were some difficulties certainly in the way, but it was better to overlook them, and to receive the ships for just what they were, vessels belonging to the

United States, but not provided, in consequence of existing troubles, with the usual evidence of nationality. I said, they might deny that they belonged to the United States.

He replied that this would not alter the fact. They came from ports in the United States, and the separation of the Confederate States was not yet recognized. The policy, he said, involved no recognition of nationality, but was only a concession in aid of commerce. I replied that my only interest was to prevent this recognition. We desired to be permitted to work out the pending questions in the Union in our own way, and, in our endeavors to restore its unity and harmony, we thought we had a right to rely upon the friendly aid and co-operation of other nations. He said no nation would witness the restoration with more satisfaction than Russia.

This is the substance of our conversations, and I need hardly trouble you with any comments. It is obvious that Russia does not expect to be called upon to decide the question of recognition until this decision has been made by England and France, and that she expects to find it then of easy solution. In the meantime she expresses the hope, which I am inclined to think she really entertains, that our difficulties may be amicably adjusted and the Union restored to its old harmony and power. In the commercial policy which she has adopted towards southern ports she has evidently followed the example of Great Britain and France. I ought to add that Prince Gortchacow read to me extracts from several letters of Mr. Stoekl, the Russian minister at Washington, which indicated that the representatives of the three powers there were quite agreed upon this subject. Under these circumstances, after stating such objections to the policy as occurred to me, I contented myself with the assurance of Prince Gortchakow that it was not intended to involve any recognition of nationality.

I shall take care to inform you promptly of any attempts which may be made here "to embarrass or overthrow the republic," and you may rely also upon my best efforts to prevent and counteract them.

* * * * *

I am, very respectfully, yours,

JOHN APPLETON.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Appleton to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
St. Petersburg, May 11, (23,) 1861.

SIR: The circular of the department dated April 20, 1861, indorsing the President's proclamation on the subject of blockades and privateering, has been received. I have written to our consuls at the different ports of Russia, calling their special attention to the subject, and enjoining upon them the utmost vigilance to prevent the fitting out of privateers within their respective consulates. At Sebastopol, where we have no consul, I have written to Colonel Gowen, an American citizen, to the same effect, and have asked him to transmit to this legation any information which may come to his knowledge on this subject, concerning either ships or persons.

I have also received the circular of the department dated April 27, transmitting, for my information, a copy of the President's proclamation of that

date directing a blockade of the ports of Virginia and North Carolina, in addition to that of the ports of the States mentioned in the proclamation of the 19th instant.

I have the honor to be, &c.,

JOHN APPLETON.

HON. WM. H. SEWARD,
Secretary of State, Washington.

Mr. Seward to C. M. Clay.

No. 4.]

DEPARTMENT OF STATE,
Washington, May 21, 1861.

SIR: We have received Mr. Appleton's despatch of the 8th of April, (No. 16.) The manner in which Prince Gortchacow has expressed himself on the subject of the domestic disturbances in our country, and the anticipated application of the insurgents for a recognition of their assumed authority, is in harmony with the friendly spirit which Russia has always manifested towards the United States, and in the main is quite satisfactory. We might, indeed, have felt ourselves bound to except to the claim that while matters should remain as they were assumed to be when this conversation was held, irregularities in the observance of our revenue laws practiced by foreign nations would be expected to be overlooked by this government; but that question has passed by. We have put our land and naval forces in motion to suppress the insurrection, and have closed the ports which have been seized by the revolutionists by a blockade. You may, if occasion shall offer, assure the Russian government that we expect that the unhappy disturbance will not continue long, and that peace and harmony will return, and the Union be stronger and firmer than ever before.

Mr. Appleton's judicious and energetic conduct in this connexion is approved and appreciated by the President.

I am, sir, your obedient servant,

WILLIAM. H. SEWARD.

Mr. Appleton to Mr. Seward.

[Extract.]

No. 18.]

LEGATION OF THE UNITED STATES,
St. Petersburg, May 22, (June 3,) 1861.

SIR: I have the honor to enclose copies, which I have received unofficially, of two orders of the Russian government which have been recently issued for the guidance of its officers in respect to the flags and ships of the Confederate States. It will be seen that they conform to what was said to me on this subject by Prince Gortchacow in the conversation which I reported to the department in my No. 16. I ought to add that every American ship which has yet appeared at Cronstadt has shown the American flag and claimed the American character. In one case from a southern port the papers were not quite regular, but the irregularity was overlooked.

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I am, very respectfully, your obedient servant,

JOHN APPLETON.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

To the commander-in-chief of the port of Cronstadt :

His imperial highness the general admiral, foreseeing the possibility of ships belonging to the southern States of the American Union, which have seceded from the United States of North America, arriving at our ports during the present navigation, has directed me to inform your excellency, for your guidance, that, according to the opinion of the minister of foreign affairs, the flag of men-of-war belonging to the seceded States must not be saluted.

That there may be no obstacle in the way of commerce, merchant vessels of the seceded States are to be treated according to the rules acted on by us with regard to Italian merchant vessels sailing under the Italian flag; i. e., according to the treaties that are at present in force, (commercial treaty concluded between America and us December (6,) 10, 1832.) Should the crews of vessels belonging to the seceded States not wish to acknowledge the authority of the consuls appointed by the federal government of Washington, then, in case of dispute, they must abide by the decision of our local authorities, in the same manner as foreigners whose governments have no representatives in our empire.

General Major GREIG,
Director of the Chancellery of the Ministry of Marine.

Circular addressed to the custom-houses on the White, Baltic, Black, and Azoff seas.

By order of the minister of finance, the department of foreign trade prescribes: In case any merchant vessels arrive in our ports belonging to the southern States of the American Union, the same not acknowledging the authority of the government of the United States of America, the said vessels are to be treated and received as hitherto, according to the treaty of 1832, should even their ships' papers not be in order, which may occur in consequence of the present political condition of the United States of America.

General Lieutenant PASHKOFF,
Director of the Department of Foreign Trade.
SORNIN, *Chief of Section, &c.*



Mr. Clay to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, June 7, 1861.

SIR: * * * * *

I find here your letters Nos. 1, 2, and 3. No. 1, giving me information which, if sooner received, would have avoided the necessity of my remarks in my last letter personal to myself, as I there find myself advised of my right to receive salary from the time of my leaving home to my arrival here I need only add that the documents referred to in No. 1 are also received, as well as your circular of the 6th May, (printed,) all of which shall receive my earliest attention.

I found the Emperor absent in the direction of Moscow; and being introduced by our minister, Mr. Appleton, to the assistant secretary of state, General Tolstoy, (the premier, Gortchacow, now being also absent,) I was advised by him to await the return of the Emperor; and I presumed it would not be agreeable to the Emperor for me to follow on, so I shall await his return to this city. I may add that the secretary gave me a very cordial meeting, speaking partly in English and partly in French; assured me of the continued feeling of friendship on the part of Russia for the Union, and *his hope that the Confederate States would not venture an embassy here.* In a word, I venture to say that the French and Russian Emperors are friendly to our Union.

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I have the honor to be your obedient servant,

C. M. CLAY

Hon. W. H. SEWARD,
Secretary of State, &c.

Mr. Seward to Mr. Clay.

[Extract.]

No. 8.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch No. 3, dated June 7, was duly received, and the intelligence of your safe arrival at your destination afforded us much satisfaction.

So also the President is highly gratified with the liberal and friendly sentiments concerning our domestic affairs, expressed to you by Prince Gortchacow.

I transmit for your confidential perusal a copy of my last despatch to Mr. Dayton, on the subject of our proposition to accede to the declaration of the congress of Paris. The views it presents will be the guide to your own action on that subject.

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I am, sir, &c.

WILLIAM H. SEWARD.

C. M. CLAY, Esq., &c., &c., &c.

Mr. Clay to Mr. Seward.

[Extracts.]

No. 4.]

ST. PETERSBURG, *Russia, June 21, 1861.*

SIR:

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The Emperor returned from Moscow a few days ago, where, it is said, he was engaged in suppressing the insurrections of the serfs. By persuasion and arms, as the enemies of the liberation, the proprietors themselves, or

their agents, were making them believe that they were at once freed from all claims of work, &c., and this was done, no doubt, to prejudice the great work of the Emperor. But it seems that everywhere the disaffection has been subdued, and very strong demonstrations of respect have been, here and at Moscow, by the peasants towards the Emperor, warmly exhibited.

On the 16th (23th) instant I called upon, by agreement, Prince Alexander Gortchacow III, minister of foreign affairs to his Majesty the Emperor. He received me in a cordial way, shaking hands, and causing me to be seated. He led the conversation by saying the Emperor having been advised of my arrival, had ordered him to express his continued friendship for the United States government; that he had heard with regret of our civil troubles, and hoped the Union a speedy triumph. I responded that no change of administration had changed the relations of the United States and Russia, whose natural position and traditionary friendship must ever keep them in the closest harmony, and that I was ordered by the President thus to express myself to his Imperial Majesty; that I was ordered also to explain at the proper time the causes of our difficulties at home; that at present I would only say that the rebel slaveholders made war upon us because, following in the wake of advancing civilization, we would not allow our government to be longer the propagandist of slavery. I stated how the slave States were divided, and my hope that the rebellion would be soon crushed out. To this he attentively listened, and responded that he hoped it would be most "*speedily done.*"

Upon my giving him my office copy of the letter of credence, he said he would see the Emperor, and let me know at my hotel when I would be received by his Majesty. He also asked after Pickens, my family, and other things in a familiar way, when I was dismissed by again shaking hands. I have given the substance of the interview, and the words as near as may be, in order that you may for yourself draw your own conclusions.

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According to the rule here, I day before yesterday called upon M. de Tche-
testcheff, master of ceremonies. My visit was yesterday returned, and I now
await further orders from the Emperor as to the presentation, of the which
I will write you the particulars before sending you this.

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Prince Gortchacow having returned my visit, gave me notice that the Emperor would receive me on Sunday, at twelve o'clock, the 2d (14th) July, at Peterhoff. So on to-day (14th July) I and my suite, Green Clay, William C. Goodloe, and T. Williams, private secretaries, set out at ten a. m. for Peterhoff by rail, the "geraut" of ceremonies meeting us at the station here, and three of the Emperor's carriages meeting us at the depot and taking us to the palace. We then witnessed a review of cavalry and infantry by the Emperor, and after it was over, at a little after one o'clock, we were sent for by the Emperor, and, as my secretary was told by the "master of ceremonies," who is the regular introducer, I was conducted into the presence by Prince Gortchacow, who, though the Emperor spoke (English?) American mostly, acted as interpreter as to the set speech, which was in Russian.

The Emperor received me standing, advancing and saying he was pleased to see me. I then went through, very briefly, the usual forms of such speeches, adding, that I ventured, by the orders of my government, to say further to him that the President of the United States and the American people looked with profound sympathy and admiration upon the great re-

forms which he was attempting in his empire, which, without considering the philanthropic view of the movement, by building up a middle class, he would add more to the physical power of his country than did Peter the Great by consolidation and extension; and that the success of his enterprise would, in the estimation of the western nations, place him even above that great ruler.

The Emperor seemed much gratified and really moved by this last remark, which he saw was from us a real appreciation of his great undertaking, and not an unmeaning compliment. He then said he would respond through the prince; and, turning to him, he spoke with very decided earnestness. In response to the first part of my address, he repeated the usual words. To the last he said, in conclusion, that "so much the more had he hopes of the perpetuity of the friendship between the two nations now, that in addition to all former ties we were bound together by a common sympathy in the common cause of emancipation." I give nearly the exact words. Among other things he expressed a very earnest wish that we would speedily recover the integrity of the Union. The more formal speech was done through the prince; the rest was spoken to me directly in English. He asked me what late advices I had; and when I told him how many of the border slave States were standing by the Union, he expressed great satisfaction. He wanted to know if I thought England would interfere. I told him we did not care what she did; that her interference would tend to unite us the more; that we fought the south with reluctance; we were much intermarried, and of a common history; but that the course of England had aroused our sensibilities towards her in no very pleasant manner. The Emperor seemed to like my seeming defiance of old "John Bull" very much. He wanted to know if I was a relative of Henry Clay, and what was my military rank. I told him I was only a distant relation of Clay, and that I wore the uniform of an American colonel, which rank I had filled in my own country. The Emperor then wished that our personal relations would advance the national friendship, as our former ministers had so succeeded; inquired after Mr. Appleton's health; regretted that he had not seen him before his departure; shook hands with me; when I accompanied him into the ante-chamber, and introduced to him my three attachés, to whom he made pleasant remarks, when, shaking hands once more, he dismissed us.

* * * * *

I have already made this letter too long; but I cannot conclude without saying how much more and more I value the great and inestimable blessings of our government, and how I trust in God that no compromise will be made of the great idea for which we have so long fought, but that General Scott, following out the programme of Mr. Lincoln's inaugural, will *boldly* and *surely* subdue the rebellion, "stock, lock, and gun-barrel," "hook and line, bob and sinker," and that we may be all spared to see once more that glorious old banner restored. "Liberty and union, now and forever—one and inseparable."

I have the honor to be your most obedient servant,

C. M. CLAY.

Hon W. H. SEWARD, *Secretary of State, &c., Washington, D. C.*

Mr. Seward to Mr. Clay.

No. 9.]

DEPARTMENT OF STATE,
Washington, July 9, 1861.

SIR: Mr. Appleton's despatch of May 22, (June 3,) No. 18, has been received.

It contains the orders in admiralty on the subject of the treatment of American vessels during the present condition of our internal affairs.

The subject seems to call for no special instruction to you, except to express to the Russian government the satisfaction which this government feels in regard to the conduct and friendly action of the Emperor.

Mr. Appleton is now with us, and we are deriving much profit from the information he gives. We learn your high appreciation of his conduct in his mission with pleasure.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., &c., &c., &c.

Mr. Clay to Mr. Seward.

[Extracts.]

No. 5.]

ST. PETERSBURG, August 3, 1861.

SIR: * * * *

A few days since I laid before Prince Gortchacow the declaration of the seven powers at Paris, April 16, 1856, as you had prepared it. He expressed himself favorably inclined towards allowing us to become a party, saying that Russia had, in a friendly spirit, in 1856, asked that America and the parties not acceding should be exempt from its force; for he desired to see the United States flourish as a naval power; * * * that he would take the scheme under consideration, and advise me of the Emperor's conclusion. I laid before him also an additional clause, embracing Secretary Marcy's proposition: "Private goods of citizens or subjects of neutrals, and of belligerents, at sea, not contraband of war, shall not be liable to capture." Of this also he spoke favorably, but said, as we could not enforce it without the accession of the great powers, it should be referred to them. I said that there must be a beginning, and that I hoped the Emperor would both accept it and urge it upon the maritime powers. Should this advance be made, (and why not?) it would, most of all, benefit the United States; whilst, in agreeing simply to the Paris declaration, we are most of all injured.

* * * *

Your copy of despatch (No. 27) to Mr. Dayton you will see has just been exactly anticipated by me. I put the Paris declaration, "pure and simple," for immediate adoption, and reserved the Marcy addendum for future consideration. No doubt it will be ultimately adopted; for all the nations except France, England, and the United States, would no doubt be glad to have the commerce of the seas free from the perils of the war navies of these great powers.

* * * *

I am, very truly, your obedient servant,

C. M. CLAY.

Hon. W. H. SEWARD.

Mr. Seward to Mr. Clay.

No. 12.]

DEPARTMENT OF STATE,
Washington, August 12, 1861.

SIR: Your despatch of 21st of June (No. 4) has been received. The account which it gives us of your reception by the Emperor of Russia, and of the just purposes and friendly wishes expressed by him in relation to the United States, is eminently satisfactory. I sincerely hope that the good understanding which now exists between the two governments may continue. I am sure you need no new instructions to enable you to say that we rejoice in the peaceful progress of the means which the Emperor has initiated for meliorating the condition of the people of Russia.

Your suggestions concerning certain modern improvements of rifled cannon have been commended to the consideration of the Secretary of War.

We wait with interest upon your negotiation on the subject of the rights of neutrals in maritime war, which your despatch leads us to suppose you will already have commenced before this communication shall have reached St. Petersburg.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, &c., &c., &c

Mr. Seward to Mr. Clay.

No. 13.]

DEPARTMENT OF STATE,
Washington, September 3, 1861.

SIR: Your despatch of the 3d of August (No. 5) has been received.

I have been quite well aware that our relations to Great Britain and France, in this crisis of our domestic difficulties, are attended by complications and dangers which altogether surpass any that we can have to encounter in our intercourse with Russia and other northern European powers. We hope and expect to be always in relations of amity and real friendship with those powers, and are very willing to negotiate with them, and especially with Russia, upon the basis of the declaration of the congress of Paris, either with or without the Marcy amendment, though greatly preferring that that amendment shall be incorporated into the treaty.

At the same time, it is well that you should know that thus far the propositions for similar treaties with Great Britain and France have not yet been acceded to by those governments. If the imperial government, for any reason, prefer to delay acting upon the subject until the decisive results of our negotiations with the two other powers named, we shall not expect you to be urgent upon the subject. We simply desire to act justly and candidly with all other nations, so as to give them all reasonable guarantees for the security of commerce during the continuance of our civil war. This done, we can cheerfully abide the coming of events, never doubting for a moment the complete restoration of the authority and high prestige of the federal Union.

Your remarks upon the subject of Mexico are very interesting, and they will have due weight in forming any determination which the rapid course of political events there shall require us to adopt.

I wish that it were compatible with my many cares at this critical moment to impart to each of our ministers abroad a full knowledge of the condition of

our negotiations and discussions with all foreign powers. If I could do so, you would probably be satisfied that you are laboring under apprehensions of some imaginary foreign dangers. But such a proceeding is absolutely impossible, and I must be content to advise you, when necessary, of the President's wishes in regard to your own mission, and leave you, as to the rest, to await ultimate, and yet seasonable, developments.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., &c., &c., &c.

Prince Gortchacow to Mr. De Stoeckl.

[Translation.]

ST. PETERSBURG, July 10, 1861.

SIR: From the beginning of the conflict which divides the United States of America you have been desired to make known to the federal government the deep interest with which our august master was observing the development of a crisis which puts in question the prosperity and even the existence of the Union.

The Emperor profoundly regrets to see that the hope of a peaceful solution is not realized, and that American citizens, already in arms against each other, are ready to let loose upon their country the most formidable of the scourges of political society—a civil war.

For the more than eighty years that it has existed the American Union owes its independence, its towering rise, and its progress to the concord of its members, consecrated, under the auspices of its illustrious founder, by institutions which have been able to reconcile union with liberty. This union has been fruitful. It has exhibited to the world the spectacle of a prosperity without example in the annals of history.

It would be deplorable that, after so conclusive an experience, the United States should be hurried into a breach of the solemn compact which, up to this time, has made their power.

In spite of the diversity of their constitutions and of their interests, and perhaps, even, *because* of this diversity, Providence seems to urge them to draw closer the traditional bond which is the basis and the very condition of their political existence. In any event, the sacrifices which they might impose upon themselves to maintain it are beyond comparison with those which dissolution would bring after it. United, they perfect themselves; isolated, they are paralyzed.

The struggle which unhappily has just arisen can neither be indefinitely prolonged nor lead to the total destruction of one of the parties. Sooner or later it will be necessary to come to some settlement, whatsoever it may be, which may cause the divergent interests now actually in conflict to coexist.

The American nation would then give a proof of high political wisdom in seeking in common such a settlement before a useless effusion of blood, a barren squandering of strength and of public riches, and acts of violence and reciprocal reprisals shall have come to deepen an abyss between the two parties to the confederation, to end definitively in their mutual exhaustion, and in the ruin, perhaps irreparable, of their commercial and political power.

Our august master cannot resign himself to admit such deplorable anticipations. His Imperial Majesty still places his confidence in that practical

good sense of the citizens of the Union who appreciate so judiciously their true interests. His Majesty is happy to believe that the members of the federal government and the influential men of the two parties will seize all occasions and will unite all their efforts to calm the effervescence of the passions. There are no interests so divergent that it may not be possible to reconcile them by laboring to that end with zeal and perseverance in a spirit of justice and moderation.

If, within the limits of your friendly relations, your language and your councils may contribute to this result, you will respond, sir, to the intentions of his Majesty the Emperor in devoting to this the personal influence which you may have been able to acquire during your long residence at Washington, and the consideration which belongs to your character as the representative of a sovereign animated by the most friendly sentiments towards the American Union. This Union is not simply, in our eyes, an element essential to the universal *political* equilibrium. It constitutes, besides, a nation to which our august master and all Russia have pledged the most friendly interest; for the two countries, placed at the extremities of the two worlds, both in the ascending period of their development, appear called to a natural community of interests and of sympathies, of which they have already given mutual proofs to each other.

I do not wish here to approach any of the questions which divide the United States. We are not called upon to express ourselves in this contest. The preceding considerations have no other object than to attest the lively solicitude of the Emperor in presence of the dangers which menace the American Union, and the sincere wishes which his Majesty entertains for the maintenance of that great work, so laboriously raised, which appeared so rich in its future.

It is in this sense, sir, that I desire you to express yourself, as well to the members of the general government as to influential persons whom you may meet, giving them the assurance that in every event the American nation may count upon the most cordial sympathy on the part of our august master during the important crisis which it is passing through at present.

Receive, sir, the expression of my very distinguished consideration.

GORTCHACOW.

Mr. DE STOECKL, &c., &c., &c.

Mr. Seward to Mr. De Stoeckl.

DEPARTMENT OF STATE,
Washington, September 7, 1861.

The Secretary of State of the United States is authorized by the President to express to Mr. De Stoeckl, envoy extraordinary and minister plenipotentiary of his Majesty the Emperor of Russia, his profound sense of the liberal, friendly, and magnanimous sentiments of his Majesty on the subject of the internal differences which for a time have seemed to threaten the American Union, as they are communicated in the instruction from Prince Gortchacow, and by him read, by his Majesty's direction, to the President of the United States and Secretary of State. Mr. De Stoeckl will express to his government the satisfaction with which the President regards this new guarantee of a friendship between the two countries, which had its beginning with the national existence of the United States.

The Secretary of State offers to Mr. De Stoeckl renewed assurances of his high consideration.

WILLIAM H. SEWARD.

Mr. EDWARD DE STOECKL, &c., &c., &c.

DENMARK.

Mr. Seward to Mr. Wood.

[Extract.]

No. 2.]

DEPARTMENT OF STATE,
Washington, May 1, 1861.

SIR: The one subject in all our foreign relations which most anxiously engages the President's attention is the possible action of other nations in regard to the domestic controversy which is raging within our own borders.

Parties long ago found it their apparent interest to appeal to local interests and prejudices, and they have persevered in that policy so far and with such effect that masses large enough to control the action of the State authorities have at last come to prefer disorganization and disunion, rather than to acquiesce in the will of the majority expressed in conformity with the provisions of the organic law.

To a well-balanced mind it seems very strange that a citizen, ever without the excuse of intolerable oppression, passes the first stage of sedition, for it is at that very stage that the malcontent finds himself obliged to seek aid from aliens to defeat the equal laws and overthrow the beneficent institutions of his own country. Sedition in the United States is not merely unreasonable, it is altogether absurd. Human ingenuity has never yet devised, nor can it devise, a form of government in which the individual citizen can retain so large a portion of the natural rights of man, and at the same time receive so ample a protection against the dangers which so often threaten the safety and even the existence of nations. Nevertheless, an insurrection has broken out here; a pretended government has been constituted under the name of the Confederate States of America, and that government now has its agents abroad seeking to obtain a recognition of its sovereignty and independence.

It is hardly to be supposed that these agents will visit the capital of Denmark. They will seek the favor of powers supposed to be more capricious or more ambitious. Nevertheless political action even of the more commanding or more active States is influenced by a general opinion that is formed imperceptibly in all parts of the Eastern continent. Every representative of the United States in Europe has, therefore, a responsibility to see that no effort on his part is wanting to make that opinion just, so far as the true position of affairs in his own country is concerned.

It cannot be necessary to discuss at large the merits of the unhappy controversy. It is sufficient to speak of its nature and its probable result. The insurrection strikes at the heart of the nation. The country, so long accustomed to profound tranquillity and universal loyalty, was slow to believe that a parricidal purpose could be contemplated where it felt satisfied there was no just cause for serious discontent. Our government is at once a purely representative and simply federal one.

While the insurrection was gathering, the administration was practically paralyzed by the presence, in a very large proportion, of the plotters and abettors of the movement, in what, in Europe, would be called the ministry, in the legislative, in the army, in the navy, in the customs, in the post office, in the diplomatic and consular representations abroad.

Seventy years of almost unbroken peace had brought agriculture, mining, manufactures, and trade to the highest possible state of activity, and the people shrunk intuitively from a change of that peaceful activity, for not merely war, but needless and ruinous civil war, which even threatens to take on the revolting character of servile war.

The insurgents skilfully availed themselves of these doubts and fears, and by a course of affected moderation increased them. It seemed as if the nation would fall into ruins without even putting forth an effort to preserve its integrity. You could not, therefore, have been surprised at finding on your arrival in Europe that the same impression had obtained there, and that the Union of these States was assumed, in European circles, to be practically at an end. For a time loyal citizens occupied themselves with trying how, by compromise, to avert a civil war, rather than to accept as inevitable an event so unnatural and so fearful.

The crisis, however, came at last, a few days after your departure from the country. The insurgents, with the force gathered through immense preparations around a fortress in their own locality, opened a terrible fire upon it, to prevent the handful of men, which constituted the garrison, from receiving supplies when on the verge of famine, and continued the cannonade, though the barracks were in flames, and the brave men, thus imperilled, were obliged to abandon defence against assault to save themselves from destruction in another form. The defending force consented to a capitulation dishonorable only to their assailants.

This last and most violent pressure reached at once the very centre where the elastic force of the national spirit lay concealed. The government accepted the issue of civil war, and sent forth its appeal to the patriotism of the people. Never in any age or country was such an appeal responded to with so much promptness, enthusiasm, and resolution; and certainly never did any nation disclose and offer up at once such exhaustless resources for its self-preservation.

The revolution already is upon the recoil. Its failure is certain. All that remains is to see what shall be the measure of the disasters and calamities, affecting chiefly the insurgents themselves, which are to be endured before they consent to a restoration of peace, and to guarantee the inviolability of the Union.

Friendly nations may for a little time, perhaps, suffer some inconvenience from the blockade of the ports of the insurgent States, which this government has found it necessary to set on foot, as they will justly take alarm at the announcement that the revolutionary party have proclaimed their purpose to employ privateers to prey upon the commerce of the country. But the embarrassments attending the first measure will be mitigated by the strictness and efficiency with which it will be enforced, and it will not be maintained a day longer than is necessary. Our naval arm is already strong, and it will promptly be made stronger, so that the other evil will be, as we trust, effectually prevented. * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., &c., &c., &c.

Mr. Seward to Mr. Wood.

No. 3.]

DEPARTMENT OF STATE,
Washington, May 6, 1861.

SIR: Herewith I transmit a copy of a despatch of the 24th ultimo, which has been addressed to the several ministers of the United States accredited to the maritime powers whose plenipotentiaries composed the congress at Paris of the 16th of April, 1856, calling their attention to the importance of endeavoring to negotiate with those powers conventions upon the subject of the rights of belligerents and neutrals in time of war. The government of Denmark was not represented in the Paris congress; but the negotiation of a similar convention with that government is considered desirable, and you will therefore be governed by the instruction of which I enclose a transcript, and endeavor to effect that object. With this view I herewith send you a full power and a draft of the proposed convention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., &c., &c., &c., *Copenhagen.*

Mr. Wood to Mr. Seward.

No. 2.]

LEGATION OF THE UNITED STATES,
Copenhagen, July 11, 1861.

SIR: I have the honor to inform the department that, immediately on the return of Mr. Hall, the minister of foreign affairs, from Jutland, and by his request, I met him on the 10th instant. His reception was frank and cordial, and while he alluded to the opinions held by my predecessor as different from mine, he expressed himself decidedly in favor of the administration and against the so-called confederates. He also informed me that the King would not return to Copenhagen before the last of this month or the beginning of next.

I have the honor to remain your obedient servant,

BRADFORD R. WOOD.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Wood to Mr. Seward.

No. 4.]

LEGATION OF THE UNITED STATES,
Copenhagen, July 19, 1861.

SIR: I have the honor to inform the department that, in an interview yesterday with the president of the council and minister of state, Mr. Hall, he readily acceded to the doctrine of the Paris convention in regard to privateering, though reluctant, in the present state of European affairs, to adopt the position of your predecessor, Mr. Marcy. He mentioned the fact that a

Danish man-of-war had been sent to the West Indies for the purpose of preventing privateering and preserving the neutrality of Denmark.

The King is still absent, in Jutland, and my reception as the representative of my government by the minister of state, without the formality of a presentation to the King, should be considered a compliment to that government.

I have the honor to remain your obedient servant,

BRADFORD R. WOOD.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Wood.

No. 6.]

DEPARTMENT OF STATE,
Washington, August 1, 1861.

SIR: Your despatch of the 11th of July last has been received, and the President instructs me to say that the explanation of the views of the Danish government given to you by Mr. Hall, the minister for foreign affairs, is very satisfactory.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., &c., &c., &c., *Copenhagen.*

Mr. Seward to Mr. Wood.

No. 8.]

DEPARTMENT OF STATE,
Washington, August 22, 1861.

SIR: Your despatches to No. 5, of the 26th ultimo, have been received.

From your No. 4 I learn, with much satisfaction, that the Danish government adopts and practices the declaration of the congress of Paris, and I trust that nothing is likely to occur to produce any inconvenience affecting the commerce with Denmark, a power with which we have every desire to cultivate the most intimate relations.

Your admission by the minister to the duties of your mission under the circumstances of the absence of his Majesty is accepted by us as a proof of the friendly feelings of the government, deserving of especial acknowledgment.

The information given in your No. 5, on the subject of the purchase in Europe of clothing and arms for the United States, has been communicated to the Secretary of War.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., &c., &c., &c., *Copenhagen.*

Mr. Seward to Mr. Wood.

No. 9.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch of August 15 (No. 9) has been received.

The affair of the place of deposit for papers of Danish vessels, to which you direct my attention, has been already settled in a manner which will, I am sure, be entirely satisfactory to the government of Denmark.

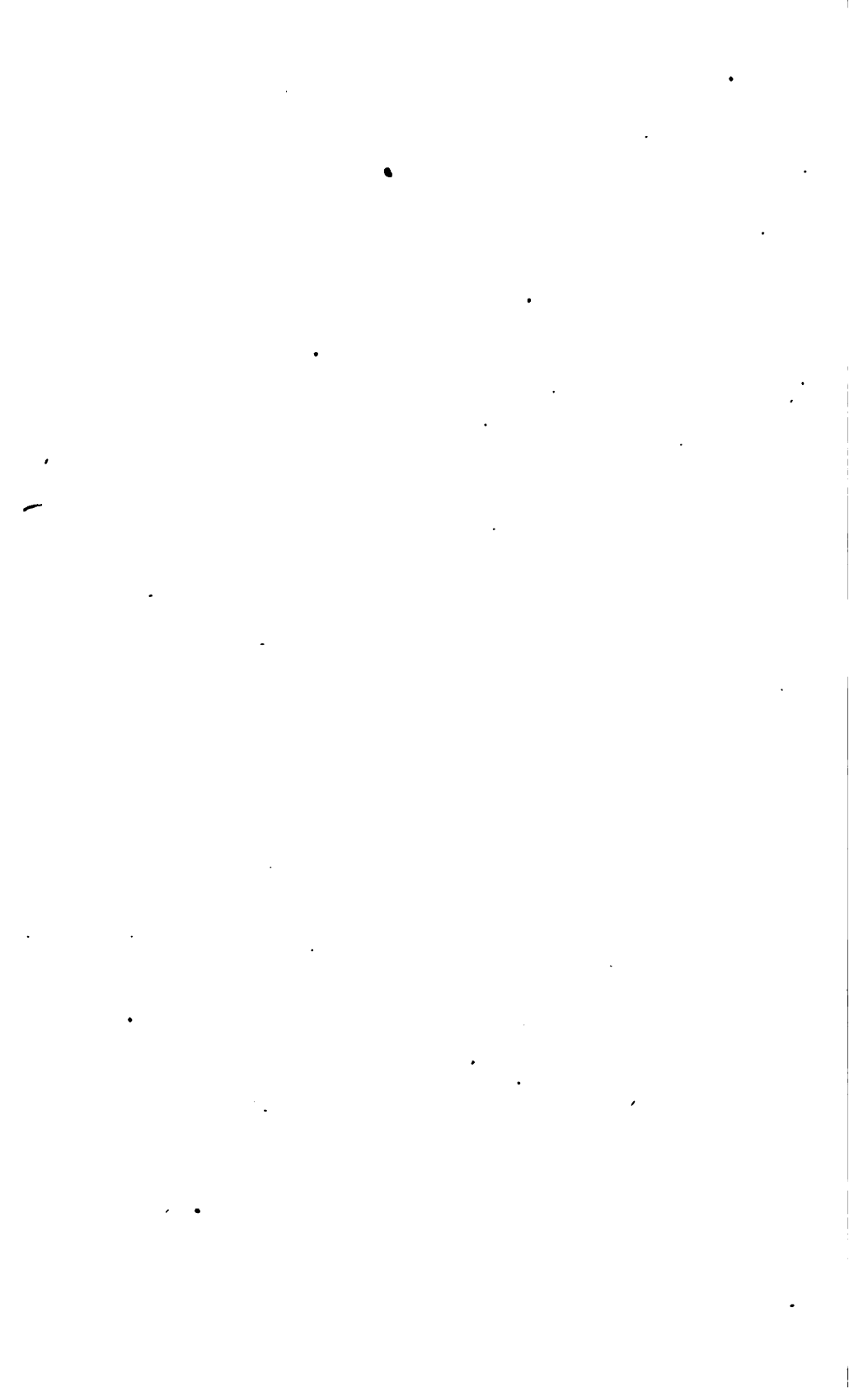
I can well understand the depression you experienced on hearing of the reverse of our arms at Bull Run, and the unfavorable comments on our course which this misfortune elicits in Europe. There is, however, no occasion for apprehension of an unfavorable issue of the present civil contest.

Whatever speculations on the subject may be made at home or abroad, you may be assured that it is not in our day that treason is to prevail against the government in our country, based as it is on the rights of man and his capacity for self-government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., &c., &c., &c., *Copenhagen.*



ITALY.

Mr. Seward to Mr. Marsh.

[Extracts.]

No. 3.]

DEPARTMENT OF STATE,

Washington, May 9, 1861.

SIR: I know that you will be welcome at Turin. Count Cavour, a true exponent of the sentiments of a generous sovereign, will be rejoiced to receive from this country a minister who will not manifest repugnance to the aspirations of the Italian people for liberty and unity. The government of the United States practices non-intervention in all other countries and in the controversies between them. You are at liberty, however, and, indeed, are especially charged, to assure his Majesty that he is held in high consideration by the President and the people of the United States. You will further assure him that it is a source of sincere satisfaction to this government that Italy seems to be even more prosperous and happy now under his government, although enjoying only short respites from revolutionary struggles for independence, than it has been at many periods long gone by, when despotism shielded that classic region from turbulence and civil commotion.

You will learn from observation that government, even when its counsels are inspired by patriotism and humanity, has its trials and embarrassments as well in Italy as elsewhere. How to save the country from the ambitious designs of dangerous neighbors on either hand—how to reconcile the national passion for freedom with the profound national veneration for ecclesiastical authority—how to harmonize the lassitude of society in the Mediterranean provinces with the vigor that prevails along the Appenines, and how to conduct affairs with so much moderation as to win the confidence of the conservative interests, and yet not to lose the necessary support of the propagandists of freedom, are tasks witnessed there which will convince the American statesman that even in that country the establishment and maintenance of free government are attended with difficulties as formidable as those which sometimes produce political despondency in our own.

* * * * *

Since the inauguration of the President it has been my duty to prepare, under his directions, instructions to many of our ministers going abroad. The burden of them all has been, not the ordinary incidents of international hospitality and commerce, which reduce diplomacy to a monotonous routine, but the extraordinary and sometimes alarming condition of our own internal affairs, threatened with the complication, most of all to be deprecated, of intervention, in some form or other, by European nations.

This foreign danger arose chiefly out of the deplorable condition of affairs at home. The administration found the government disorganized by the presence of disunionists of high position and authority in all its departments. Some time was necessary to eliminate them before any decisive

policy could be adopted. It was, moreover, necessary to forbear from demonstrations of federal authority that might be represented as aggressive, to allow the revolution to reveal its alarming proportions and boldly proclaim its desperate and destructive designs.

It was seen all the time that these needful delays were liable to be misunderstood abroad, and that the malcontents would endeavor to take advantage of them there. The government has, therefore, not been surprised, although it has been deeply grieved, to see the agents of the revolutionary party, perhaps even with the concurrence of some of our own demoralized ministers in Europe, insidiously seeking to obtain from some of its sovereigns a recognition of the projected treasonable confederacy.

It has been no easy task to study the sophisms, arts, and appliances which they might be expected to use in the highly commercial circles of Belgium, Paris, and London. It was nevertheless necessary to attempt it, for human nature is at least no more moral, just, or virtuous in courts than it is in private life. There is no such embarrassment, however, in the present case. It often happens that foreign observers, if candid, understand American questions quite as well as Americans themselves. Botta and De Tocqueville were of this class.

So Count Cavour cannot be at any loss to understand the present political condition of the United States.

The American revolution of 1776, with its benignant results, was due to the happy combination of three effective political ideas: First, that of emancipation from the distant European control of Great Britain; second, popular desire for an enlargement of the political rights of the individual members of the State upon the acknowledged theory of the natural rights of man; third, the want of union among the States to secure safety, tranquillity, aggrandizement, and fame.

The revolution attempted in 1861 is a spasmodic reaction against the revolution of 1776. It combines the three ideas which were put down, but not extinguished, in that great war, namely: First, European authority to regulate political affairs on this continent; second, the aggrandizement and extension of human slavery; third, disunion, dissolution, anarchy.

Any impartial thinker can see that an attempt at a revolution so unnatural and perverse as this could never have been embraced by any portion of the American people, except in a moment of frenzied partisan disappointment; that it has no one element of success at home, and that it is even more portentous to all other governments than to our own. It is painful to see faction stalking abroad in one's native land. But faction is incident to every state, because it is inherent in human nature. We prefer, if it must come, that it come in just its present form and character. It will perish by simply coming to confront the American people, for the first time brought to meet that enemy of national peace and safety in arms. The people are aroused, awakened, resolute, and determined. The danger is, therefore, already passed. We no longer fear—indeed, we hardly deprecate—the disaster of civil war brought upon us without fault. We now see that it may be regarded as a necessary trial to preserve the perfection of our Constitution, and to remove all remaining distrust of its durability and its adaptation to the universal wants of mankind.

I am, sir, your most obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., &c., &c., *Turin*.

Mr. Seward to Mr. Marsh.

No. 5.]

DEPARTMENT OF STATE,
Washington, June 21, 1861.

SIR: Your despatch No. 2, written at Paris May 29, has been received.

The government not only accepts your explanation of the delay you have made on your way to your post of duty, but also appreciates and thanks you for the faithful service you have rendered to the country in an important crisis by your labors to correct an erroneous public opinion in Europe through the use of the press in London.

We hear with sincere regret and sorrow of the death of Count Cavour, a statesman honored none the less by the people of this country because the theatre of his labors is remote from our own. If it shall seem proper to you, you may express these sentiments to his Majesty.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., &c., &c., &c., Turin.

Mr. Dillon to Mr. Seward.

[Extracts.]

UNITED STATES LEGATION,
Turin, June 10, 1861.

SIR: Since my communication of the 16th of April last, to announce my arrival here the 12th of that month, from my late post, Rio de Janeiro, and of my having entered upon the discharge of my duties as *chargé d'affaires ad interim*, the event first in order of importance, though not of time, which it is my painful duty to communicate, is the sudden death, on the 6th instant, of his excellency the Count Camillo Benso de Cavour, late president of his Majesty's council and minister of foreign affairs. The count was taken ill on the evening of the 29th of May last at his residence, the hotel of his elder brother, the Marquis de Cavour, of what proved to be typhus fever. Injudicious and repeated bleedings at the commencement of the fever, though, I am told, at his own instance, hastened the sad event.

The count was never married.

Europe still echoes with eulogies to his memory. Among the most felicitous and important, as expressing at the same time a political programme, is a leading article in the *Constitutionnel* of Paris, semi-official, and supposed to emanate from the Emperor of the French. I extract a single sentence: "S'il y a aujourd' lui dans la péninsule un grand homme de moins il y a, grâce à Dieu, un grand peuple de plus. *Et ce peuple affranchi ne saurait désormais retomber dans la servitude.*" In common with my colleagues, of the diplomatic corps, I attended the funeral obsequies in the parish church of the Madonna degli Angeli the evening of the 7th instant, and the following morning the remains were transferred to the burial vault of the Cavour family, at Santena, some six miles distant from Turin, there to remain—thus contradicting the reports of the public prints that, in compliance with the King's wish, they were to be entombed in the royal basilica of the Superga.

"Exegi monumentum aere perennius,
Regalique situ pyramidum altius."

Shortly after my arrival, in consequence of the warlike disturbances at home, the applications, written and verbal, by disbanded officers and men of the late Garibaldian army of Southern Italy, for enlistment into the United States army, became so numerous that I would call attention to a card, of which I annex a copy, published at my request by his Majesty's government in the official paper.

* * * * *

The President's proclamations of the 19th and 27th of April last, received at this legation, with the circular from the department, were by me duly communicated to his Majesty's government, and printed in extenso in the *Gazetta Ufficiale del Regno d'Italia* the 29th of May, 1861.

* * * * *

His Majesty has summoned the Baron Ricasoli, a very prominent conservative member of the chamber of deputies, from Florence, to form a new ministry, which, though not yet announced, will, it is thought, be soon completed, in continuation of the Cavour policy.

Mr. Marsh has arrived at Turin.

I am, sir, your obedient servant,

ROMAINE DILLON.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

CARD.

UNITED STATES LEGATION,
Turin, May 17, 1861.

In reply to numerous and continued applications to this legation, by letter and in person, of foreign volunteers for enlistment in the army of the United States of America, the undersigned takes this public means of declaring that he has no knowledge, official or non-official, of any instructions of his government authorizing any such enlistments out of the United States.

ROMAINE DILLON,
Chargé d'Affaires, &c.

Mr. Marsh to Mr. Seward.

[Extracts.]

No. 3.]

LEGATION OF THE UNITED STATES,
Turin, June 27, 1861.

SIR: The interruption of business in the foreign office of this government, occasioned by the illness and death of Count Cavour and a week's absence of the King, which immediately followed the formation of the new ministry, prevented me from obtaining an audience of his Majesty for the purpose of delivering my letters of credence until Sunday, the 23d day of this month.

On that day I was received by the King, and, in accordance with my instructions, conveyed to him assurances of the high consideration in which he is held by the President and people of the United States, and of their satisfaction in observing the apparent prosperity and happiness of Italy under his Majesty's government. I further expressed the personal gratifica-

tion I had derived from being selected to represent the United States near the government of the Italian people—a people which I had long known, and which had always inspired me with deep interest—and especially from the honor of being the first diplomate accredited to the first King of Italy.

His Majesty received these remarks very graciously, using some terms personally complimentary to me, testified much respect for the President and for yourself, and expressed a strong interest in the welfare and prosperity of the United States, as well as much solicitude for an honorable termination of the present contest between the government and the seceding States.

The audience was strictly private, no person but his Majesty and myself being present, and the interview was therefore of a less formal character than is usual with royal receptions. It is, perhaps, proper to add that the communication was conducted in French, which is the usual language of oral intercourse between foreign ministers and the sovereign or the heads of departments at this court.

With Baron Ricasoli, the new head of the ministry and minister of foreign affairs, I have had several interviews, as well before as since my reception by the King, and I therefore am not aware that the public interests have sustained any detriment by the delay of my official reception. In all these interviews American politics have formed a leading topic of conversation, and, though Baron Ricasoli speaks with proper caution, the tenor of his remarks leaves no room for doubt that his personal sympathies, as well as those of his government, are entirely on the side of the President and the constituted authorities of the Union in their great struggle.

The first point which I brought to the notice of the minister of foreign affairs was the prevention of movements hostile to the United States in the territories of the King of Italy. I stated that I had been led to fear that some attempts were making at Genoa to fit out vessels or purchase arms for the service of the rebels, and begged that the attention of the local authorities at Genoa might be drawn to the subject. Baron Ricasoli replied that the government would not knowingly permit any such purchases to be made, and that he would request the minister of the interior to direct that the police of Genoa should be watchful to detect and prevent any negotiations for that purpose.

The suggestions I made to Baron Ricasoli on this subject were founded partly on a letter from Mr. H. S. Sanford and partly on vague rumors circulating here, which I have been unable to trace to any certain foundation, though I have made inquiry in all quarters known to me which seemed to be probable sources of information. In the course of the last week I employed an Italian gentleman, then about to proceed to Genoa, and whom I believe to be entirely trustworthy, to investigate the subject on the spot. He is still absent, and as he has not written to me since arriving at Genoa I infer that he has made no discoveries.

I have communicated to Baron Ricasoli the substance of my instructions with regard to the proposed convention for the suppression of privateering and the exemption of private property from capture by national ships of war in certain cases. He replied that the Italian government had not yet become a party to the convention of 1856, and added that the pressure of business on his department would prevent his giving immediate attention to the subject; but he expressed no objection to a negotiation on the basis proposed in your instructions of the 24th of April, 1861, or even on the broader ground of the total exemption of all private property not contraband of war from capture at sea by ships of war in all cases.

The Italian parliament is now in session, and will probably not adjourn before the 15th or 20th of July. The cabinet ministers are members, as in England, and regularly attend the sessions, which occupy a large part of

the day. Many important topics are under discussion in parliament, and still more weighty questions of domestic and foreign policy are making large demands on the time and absorbing the thoughts of the administration. It is, therefore, not probable, as Baron Ricasoli intimated, that he will be able to consider the subject of the convention until the adjournment of the national legislature shall leave him more at leisure. In the meantime the negotiations with the English and French governments on the same subject will probably be brought to a close, and the final decision of the Italian government will be much influenced by that of England and France.

The death of Count Cavour, after an illness of a week's duration, and which, for the first few days, was not of a threatening character, was a great shock to the friends of constitutional liberty and progress, and an occasion of much ill-suppressed exultation among the advocates of temporal and spiritual despotism throughout Europe, and especially in Italy. To me, personally, it is a source of profound regret, both for less selfish reasons and because I had special grounds for expecting, more from his often expressed high regard for the President and yourself than from any other cause, agreeable private and official relations with this great statesman.

The successor of Count Cavour—and I may apply the same remark to most if not all of the members of the cabinet—is a man of a high order of talent, of great devotion to the interests of his country, of the same general doctrines of national policy as his predecessor, and of sincere attachment to the principles of civil and religious liberty. The remarkable unanimity with which the new cabinet is sustained by the parliament is a favorable omen, so far as respects the domestic success of the government; and there is some reason to think that the death of a prime minister, who was regarded with so much personal ill will by the reactionary party in Italy and elsewhere in Europe, may tend to diminish the asperity with which his policy has been hitherto opposed by that party.

* * * * *

I am, sir, respectfully yours,

GEO. P. MARSH.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Marsh to Mr. Seward.

[Extracts.]

No. 5.]

LEGATION OF THE UNITED STATES,
Turin, July 6, 1861.

SIR: Having heard a report that Mr. Patterson, consul of the United States at Genoa, expects a commission from the Southern Confederacy to act as consul of the rebel States at that port, I called on Baron Ricasoli yesterday morning, and protested against the recognition of Mr. Patterson, or of any other person, as a consular agent of the confederacy.

Baron Ricasoli assured me that, under present circumstances, at least, no such agent would be recognized at any Italian port, and he took occasion to repeat, in strong language, the expression of his own warm sympathy with the federal government of the United States, and his earnest hope that the present contest between the government and the seceding States would end in the re-establishment of the lawful authority of the Union, and be settled on terms which would secure the triumph of the principles of freedom, and

the ultimate extinction of human slavery. He added that, in these expressions he was speaking the sentiments of his Majesty and of the entire government of which he was a member.

I then referred to apprehensions which had been expressed in America of the fitting out of privateers in remote Italian ports under the confederate flag. He replied that the government officers would endeavor to prevent such violations of the laws, but that it would be difficult to exercise a vigilant supervision over all the remote and unfrequented ports of the peninsula and islands, and he advised the appointment of American consuls at points favorable for observation along the coasts, as a good means of detecting and preventing such movements.

I had, on the same day, an audience of the Prince of Carignano, who expressed opinions and feelings similar to those of Baron Ricasoli with respect to our present national difficulties, and I may add that every member of the government, and almost every gentleman in public life, with whom I have conversed at Turin, coincides in these sentiments.

* * * * *

The favorable sentiments with which the present administration of the federal government is regarded by most continental statesmen, are founded (independently of the high personal regard felt for the President and his constitutional advisers) partly on the opinion that it is sustaining the cause of constitutional authority, of the entirety of nationalities and of established order against causeless rebellion, violent disruption of a commonwealth essentially a unit, and disorganizing and lawless misrule; but still more, I think, on the belief that the struggle in which it is now involved is virtually a contest between the propagandists of domestic slavery and the advocates of emancipation and universal freedom. If the civil war be protracted, I am convinced that our hold upon the sympathy and good will of the governments, and still more of the people of Europe, will depend upon the distinctness with which this issue is kept before them, and if it were now proposed by the federal government to purchase the submission of the south by any concession to their demands on this subject, or by assuming any attitude but that of, at least, moral hostility to slavery, I have no doubt that the dissolution of the Union would be both desired and promoted by a vast majority of those who now hope for its perpetuation.

* * * * *

I am, sir, respectfully yours,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

—
Mr. Seward to Mr. Marsh.

No. 8.]

DEPARTMENT OF STATE,
Washington, July 23, 1861.

SIR: Your despatch of June 27, No. 3, has been received. The account it gives us of your reception and of the sentiments and feelings of the Italian government in regard to the United States is very satisfactory to the President. We are pleased with your prompt and vigilant attention to the matters affecting the public interest, especially the supposed project of fitting out hostile armaments at Genoa.

Renewing my best wishes for the prosperity of Italy under the new ministry so happily inaugurated, I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., &c., &c., &c., *Turin.*

Mr. Seward to Mr. Marsh.

[Extracts.]

No. 11.]

DEPARTMENT OF STATE,
Washington, July 30, 1861.

SIR: * * * * *

You will express to Baron Ricasoli the high appreciation which this government entertains of his decision in regard to our affairs.

* * * * *

You will be pained by the intelligence of a reverse of our arms near Manassas Junction, and I fear it will, for a time, operate to excite apprehensions and encourage the enemies of the Union in Europe; but the blow has already spent its force here without producing any other effect than renewed resolution and confidence in the success of the government. The lesson that war cannot be waged successfully without wisdom as well as patriotism has been received at a severe cost; but, perhaps, it was necessary. It is certain that we are improving upon it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., &c., &c., Turin.

Mr. Marsh to Mr. Seward.

No. 14.]

LEGATION OF THE UNITED STATES,
Turin, September 2, 1861.

SIR: I have the honor to enclose herewith a copy of a note addressed by me to Baron Ricasoli on the 26th ultimo, in relation to the proposed convention for the accession of the United States to the declaration of the congress of Paris in 1856.

By my instructions, under date of April 24, 1861, I am directed as follows: "To ascertain whether it (the government of his Majesty the King of Italy) is disposed to enter into negotiations for the accession of the United States to the declaration of the Paris congress, with the conditions annexed by that body to the same; and if you shall find the government so disposed, you will then enter into a convention to that effect, substantially in the form of a project for that purpose herewith transmitted to you."

The project transmitted with the instructions makes no mention of the important conditions referred to in the instructions, and therefore, in drawing up the note, I thought it best not to notice the conditions specifically, but to make the proposal in general terms, leaving that point to be arranged, if suggested by the Italian government, as I shall be instructed hereafter.

I have the honor to be, sir, with high respect, your obedient servant,

GEORGE P. MARSH.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Marsh to Baron Ricasoli.

LEGATION OF THE UNITED STATES OF AMERICA,
Turin, August 26, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, as he had the honor to state in one of his first interviews with his excellency the minister of foreign affairs, is instructed to propose the negotiation of a convention between the government of the United States and the government of his Majesty the King of Italy for defining the rights of belligerents and neutrals in maritime warfare, in accordance with the principles adopted by the congress of Paris in the year 1856.

Similar instructions have been given by the President to the American ministers at the courts of the other maritime powers, and negotiations to that effect are now in progress with all the governments represented at the congress of Paris.

It will be remembered by his excellency the minister of foreign affairs that in the year 1854 the President of the United States submitted to the several maritime nations two propositions, to which he solicited their assent as permanent principles of international law.

These were :

1. Free ships make free goods—that is to say, that the effects or goods belonging to subjects or citizens of a power or state at war are free from capture or confiscation when found on board of neutral vessels, with the exception of articles contraband of war.

2. That the property of neutrals on board an enemy's vessel is not subject to confiscation, unless the same be contraband of war.

These propositions were favorably entertained by most of the governments to which they were submitted, but no formal convention for their recognition was negotiated between them and the United States.

The congress of Paris, at which most of the European powers were represented, adopted, upon the 16th of April, 1856, an agreement embracing substantially these principles, with two additional propositions; all of which were embodied in a declaration composed of four articles, namely:

1. Privateering is and remains abolished.

2. The neutral flag covers enemy's goods, with the exception of contraband of war.

3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4. Blockades, in order to be binding, must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The congress further agreed to invite the maritime states not represented in that body to accede to these propositions, and the assent of the government of the United States was asked to them accordingly.

The then President of the United States, Franklin Pierce, did not accede to the stipulations of the convention, but proposed an amendment to the first article which should exempt the private property of individuals, though belonging to belligerent states, from seizure or confiscation by national vessels in maritime war; and the ministers of the United States at Paris and London were instructed to inform the governments to which they were accredited that the United States would accede to the four points above recited, provided the first of them should be amended to the effect proposed by the President.

Neither of these governments is understood to have objected to this amendment, but the negotiations were not prosecuted to a conclusion.

The President of the United States adheres to the opinion expressed by his predecessor, that it would be eminently desirable for the good of all nations that the property and effects of private individuals, not contraband, should be exempt from seizure and confiscation by national vessels in maritime war. But the proposal to that effect not having been accepted by the nations represented in the congress of 1856, he now offers to accede to the invitation of the powers, and to accept the declaration promulgated by it, deferring to a future occasion the further prosecution of negotiations for the general adoption of the amendment above specified.

The undersigned is invested with full powers to conclude, on the part of the President, a convention between the government of the United States and that of his Majesty the King of Italy for the adoption of the declaration of the congress of Paris, and begs leave to invite the attention of his excellency the minister of foreign affairs to the proposal.

The undersigned avails himself of this occasion to renew to his excellency the minister of foreign affairs the assurance of his most distinguished consideration.

GEORGE P. MARSH.

His Excellency Baron RICASOLI,
President of the Council and Minister of Foreign Affairs.

Mr. Seward to Mr. Marsh.

No. 18.]

DEPARTMENT OF STATE,
Washington, September 20, 1861.

SIR: Your despatch of August 26th, No. 12, has been received.

I send you, in confidence, a copy of my latest instructions to Mr. Adams and Mr. Dayton, from which you will learn that the negotiations with Great Britain and France for an accession to the declaration of the congress at Paris have been suspended, and the causes of the suspension.

We are desirous to act in good faith, and to acquit ourselves of all responsibility for the failure of negotiations with enlightened powers for the advancement of the interests of peace and humanity; and yet we are at the same time resolved to maintain the independent position and the dignity of our government. We therefore hold ourselves ready to perfect a convention with the government of Italy for our accession; and at the same time you will not urge the proposition against any disinclination which that government may express or intimate.

We shall be the friend of Italy; and Italy, we are sure, cannot be otherwise than friendly to us, no matter what treaty relations exist or fail to be made.

I am, sir, your obedient servant,

GEORGE P. MARSH, Esq., &c., &c., *Turin.*

WILLIAM H. SEWARD.

Mr. Seward to Mr. Marsh.

No. 32.]

DEPARTMENT OF STATE,
Washington, November 22, 1861.

SIR: I have your despatch of October 29, (No. 29.)

The British and French governments, which stand at the head of the maritime powers, having declined our adhesion to the declaration of Paris without conditions which the United States cannot yield, there is no important object to be attained by pressing the same upon other powers. You will therefore let the matter rest in Italy for the present.

I think that when at no distant day it shall need to be renewed, the interest that shall move it forward will appear first on the other side of the Atlantic.

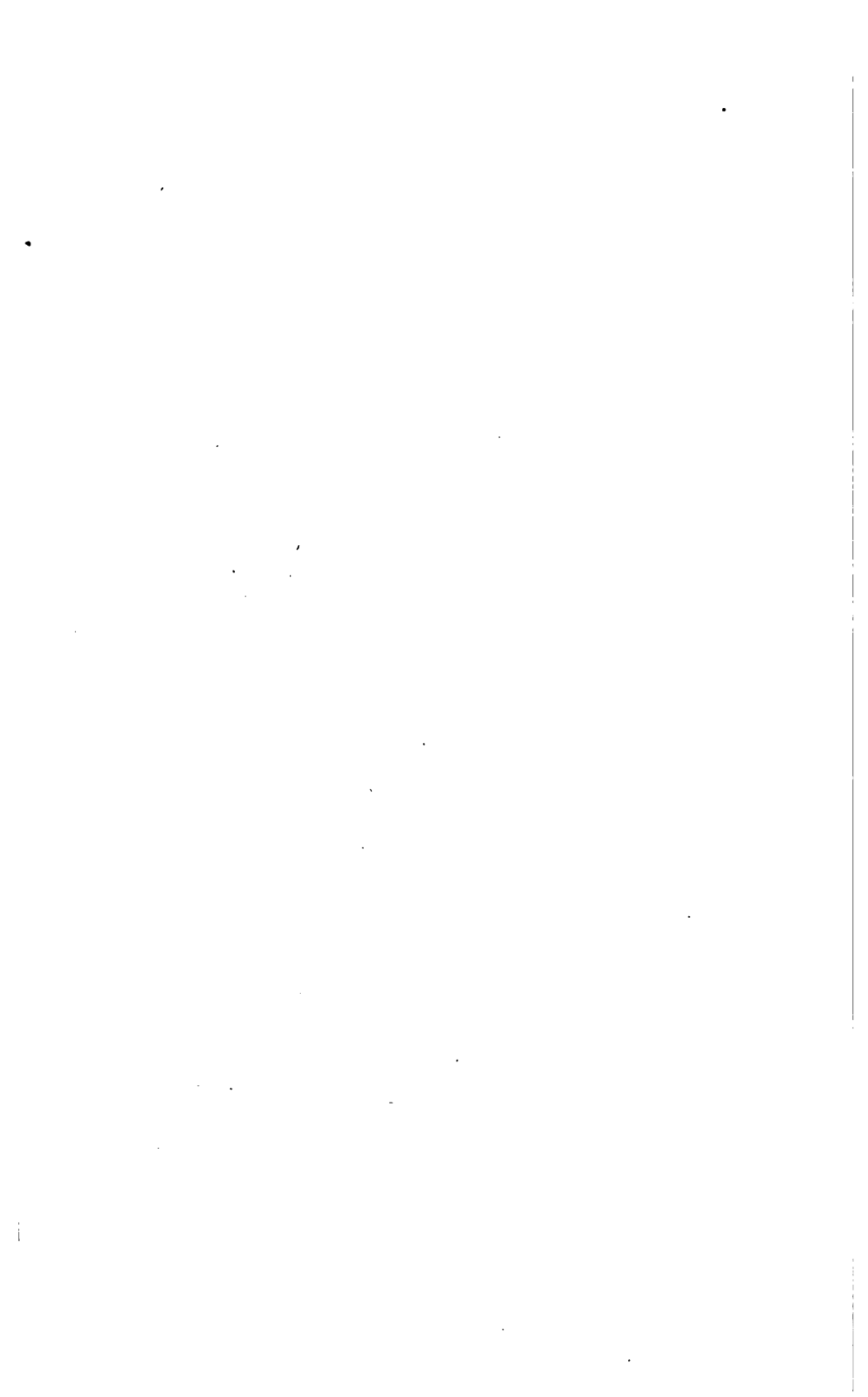
It is a matter of regret that we cannot consistently offer special inducements to military gentlemen in Italy who are unable to defray their own expenses in coming to join our armies; but we are forbidden to do so by urgent considerations. First, we do not need to solicit foreign aid, and we naturally desire to avoid the appearance of doing so. Secondly, we wish to abstain from intrusion into the domestic concerns of foreign states, and, of course, from seeming to do so. Thirdly, our own countrymen are coming forward with just claims upon all positions requiring skill in the art of war, and we must avoid jealousies between native and foreign defenders of the Union. Already the forces in the field exceed half a million, and the officers charged with organizing them report to us that those recently recruited will swell the number to seven hundred thousand. If the insurrection should continue, it will be more difficult to keep them down to a million than to lift them up to that figure. Still, we do not yet revoke what we have thus far said, and we will receive from Europe those who may come.

A consul will be appointed for Ancona.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., &c., &c., *Turin.*



SWITZERLAND.

Mr. Seward to Mr. Fogg.

No. 2.]

DEPARTMENT OF STATE,
Washington, May 15, 1861.

SIR: I have delayed giving you the President's instructions so long because I was preoccupied. For the first time in our history the standard of civil war has been raised with the purpose of overthrowing the federal republic. It is a cardinal point with the seditious in modern revolutions to gain aid, or at least sympathy, in foreign countries. That sympathy is sought in the form of recognition of the simulated sovereignty set up by faction. An act of recognition carries moral weight, and material aid is expected soon to follow it. No state ought to lend its support to revolution in a foreign country except upon motives of justice and humanity. But in point of fact these motives seldom prevail, and nations generally act in such cases upon calculations of profit or ambition, or in the wantonness of mere caprice. It is well understood here that the revolutionary faction has its agents abroad, soliciting European powers to intervene in this unhappy civil war. It has therefore been my duty, under the President's authority, to instruct our representatives there how to meet them and counteract their designs. I could easily imagine that either Great Britain, France, Russia, Austria, Prussia, Belgium, Spain, or even Denmark, might suppose that it could acquire some advantage, or at least some satisfaction to itself, from a change that should abridge the dominion, the commerce, the prosperity, or influence of the United States. Each of them might be believed to have envious sentiments towards us, which would delight in an opportunity to do us harm. I have therefore first addressed myself to the consideration of our relations with those countries. It is otherwise with Italy and Switzerland. The former is yet hotly engaged in the struggle to secure freedom and unity, and the latter enviably distinguished by the rare enjoyment of both. Human nature must lose not only the faculty of reason which lifts it above the inferior beings, but also the benevolence which lifts it up to commune with superior orders of existence, when the security, welfare, and happiness of the United States shall have become even a matter of indifference to Italy or Switzerland. I salute Switzerland last among the European nations only because we esteem and confide in her most.

You will say this, or anything else that may occur to you that would more pleasantly or more effectually assure the government of Switzerland of the cordial good wishes cherished for it by the President and the people of the United States.

You will, of course, need to say nothing to the government on the subject of the domestic difficulties to which I have already adverted. You will, nevertheless, not be absolutely free from all responsibility on this head. You are in a region where men of inquiring mind and active habit seek a temporary respite from severe studies and exhausting labors. The world's affairs are discussed freely, and the sentiments and opinions which influence the conduct and affect the prospects of nations are very often formed in the

mountains and dells of Switzerland. You will meet there, if no others, many of our own fellow-citizens, doubtlessly of both classes—the disloyal, sometimes, as well as those who are loyal to the Constitution and the Union. Improve the calmness and candor which the contemplation of nature inspires to dissuade the discontented American from his unnatural course and pernicious convictions, and to excite the loyal to return home as speedily as possible to speak, to vote, and, if need be, to enrol himself as a soldier or a sailor in the land or naval forces for the defence of his country, of freedom, and of mankind.

Seventy years of tranquillity and harmony, unparalleled in the experience of states, have made us misunderstand the stage in our national career at which we have arrived. We had to prove, by demonstration in war, that these institutions are adapted to defence against aggression, and even for aggrandizement of empire. The proof was given, and the world has nobly confessed the truth established.

We assumed that faction could not gain consistency and make head under institutions so free, so equal, so just, and so beneficent. This was a mistake less in regard to our institutions than in regard to human nature itself. But self-complacent, and consequently self-deceived, we have come all of a sudden to meet the emergency of civil war, and we find ourselves obliged to demonstrate that our government is adapted to resist and overcome domestic faction. It is a momentous but necessary trial. Perhaps it has not come too soon. Certainly we have no apprehension of failure. Revolutions are seldom successful, even when they have just causes. Revolution without a good cause, amounting to absolute necessity, is never possible in a country where stable government is at all known by experience of its blessings. The present attempt at revolution is based on no alleged experience of oppression. It puts forth only apprehensions of danger of oppression, which the form of the Constitution and the experience of its actual working proves to be altogether impossible. It is a revolution originating only in disappointed personal ambition. Personal ambition is the least effective of all the political agencies that can be found in an extended federal republic. The revolution aims at the life of the country. It gathers the support of only that small, though very active, class of persons who are so thoughtless as to be insensible to the importance of having a country to protect and defend, with benefit to themselves and their posterity. Against it are arrayed the larger portion of our people with whom love of country is the first and strongest of all the social passions—that holy sentiment which in mature life is the strongest passion of our common humanity.

Tell the Swiss republic, then, that with God's blessing we will preserve this model of federal republican government by which they have reformed their institutions, and we invoke them to retain their own with no less fidelity. So Switzerland and the United States shall in after ages be honored as the founders of the only true and beneficent system of human government—a system that harmonizes needful authority with the preservation of the natural rights of man. Every free citizen of Switzerland who comes here, so long as he remains, is practically a citizen of the United States. He goes in and out everywhere unchallenged. Nevertheless, the American citizen in Switzerland is a stranger, and the reiterated demand for his passport at every angle in his course reminds him painfully that he is suspected. His least elevated motive for going there is trade and commerce; but the objects of most of our citizens in visiting Alpine countries are health and study of the more sublime and attractive features of nature and a fervent admiration for the free people who dwell among them. In the United States there is not one man base enough to do or wish an injury to the enlightened government or to the people of Switzerland. Why, then, should not the government

of that country make us conscious of its confidence by allowing us the enjoyment of national hospitality while we are sojourning in their beautiful country?

Please bring this subject to the consideration of the authorities, and if you find them well disposed you will be authorized to conclude a convention with them on the subject.

We very much want good a history of the Swiss Confederacy since its reformation, especially showing how faction develops itself there, and how the government works in preventing or suppressing designs subversive of the federal unity of the republic. The President hopes that you will furnish it, as he knows your ability for such a task.

Please also send to the department a copy of the fullest and best history of the Swiss Confederation, (perhaps Muller's.) It is desirable, not only with a view to accurate information upon the points just adverted to, but also with reference to the legislation and its causes of the respective members of the confederation with regard to the Israelites, a subject in relation to which your predecessor has had much correspondence with that government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE G. FOGG, Esq.,
&c., &c., &c., Berne.

Mr. Fay to Mr. Seward.

[Extract.]

No. 421.]

UNITED STATES LEGATION,
Berne, May 18, 1861.

SIR:

* * * * *

Referring to my No. 417, I communicated, in addition to the English printed copy of the inaugural of the President, a carefully made German translation. I have some reason to suppose that the commissioners of the seceded States were, or would soon be, in Paris, and as Mr. Dudley Mann was informally my predecessor in Berne, and has personal friends in the governmental regions, and might profit by the occasion to slip over from London or Paris, I had another interview on the subject this morning with President Knüsel. A very severe illness had kept me some time from seeing him. As I have received not a word from the department with regard to my recall, I have not communicated officially with the government upon the subject, but the President commenced, and I am unwilling to repeat his friendly remarks. He alluded, however, to the affair of Neuchâtel, and said I must not think the government had forgotten the services I had rendered to Switzerland, and particularly on that occasion. He repeated several times; but I will not dwell further upon this point.

I asked if they had any news of the commissioners of the seceded States, and said I thought they might perhaps pay Berne a visit. I then addressed to him some earnest words upon a subject in which my whole heart is interested. I told him my public and private intelligence convinced me that the movement of the south would be suppressed; that it was as insane as it was guilty; that the slowly rising spirit of the north, and the calm and efficient preparations made by the President, would, in due time,

bring it to a termination; that the United States had always loved Switzerland, but that I did not expect from him any sentimental engagements. I wished, however, officially to express the opinion of my government, and, privately, my own deep conviction, that the wise course of Switzerland would be a flat refusal to receive, in any way, the commissioners of the revolted States; that a different course would be painfully remembered, while a prompt action in this direction would surely draw much closer the bonds of friendship between the two republics. I called his attention to the proclamation of the British government, in which the seceded States are termed the "so-called Confederate States."

The President warmly acquiesced, and assured me that he completely shared my opinion.

* * * * *

I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

Mr. Fay to Mr. Seward.

[Extract.]

No. 426.]

UNITED STATES LEGATION,
Berne, June 3, 1861.

SIR:

* * * * *

Mr. Fogg has not yet arrived, although the telegraph announces that he is in London. Everything is ready for him here.

A despatch for him has been received but not opened. Your circulars of April 27 and of May 6 have been received. The copies of the proclamation have been communicated to the federal council.

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I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

Mr. Fay to Mr. Seward.

[Extract.]

No. 428.]

UNITED STATES LEGATION,
Berne, June 7, 1861.

SIR:

* * * * *

I had an earnest conversation with Mr. Frei Herosée on the subject of the possibility of the reception of any southern agent. He is an old friend of Mr. Dudley Mann. He is also one of the oldest and most influential members of the federal council and founders of the government, and has been several

times President. He confirmed warmly all that President Knüsel had said, and in plainer terms. Switzerland, he said, had always opposed rebellion and revolution everywhere. He alluded, I presume, to the days of 1848, during which this republic acted with equal liberality and wisdom. She has herself passed through the same ordeal as that through which God is now leading us, and she knows what it is for foreign powers to cast the weight of their open encouragement or secret intrigue into the wrong scale. Whatever importance may be attached to the course which Switzerland may pursue on this point, I am almost positive no agent would be received.

* * * * *

I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

Mr. Fay to Mr. Seward.

[Extract.]

No. 431.]

UNITED STATES LEGATION,
Berne, July 2, 1861.

SIR: It is with the permission of my successor, whom I learn to regard as a friend, that I address to you this my closing despatch.

I have placed him in possession of the legation office records, cipher, library, furniture, and all things pertaining to it. An inventory has been prepared, from the despatch books, of everything received; and he will doubtless inform you that he has verified it.

Yesterday, July 1, he accompanied me to the *Palais Fédéral*, where we were received in the state reception-room by the president and by the secretary of the federal chancery, Mr. Leutscher. I handed in my letter of recall, and read, in German, the remarks I had prepared. I then formally presented my successor, who gave his *lettre de créance*, and who requested me to read a German translation of his remarks, which I did. The president then replied to the latter. I have the honor to subjoin these documents in English.

Some conversation then ensued of a friendly character. On leaving, the president informed me he would make me a visit, and, taking me warmly by the hand, he said, (alluding to Neuchâtel,) "we shall never forget what you have done for us." We then drove to all the legations, and I presented the new minister to the *chefs de mission*, commencing with the French ambassador, the Marquis de Turgot. It gives me pleasure to say Mr. Fogg obviously made a favorable impression, and that it is a sincere satisfaction for me to see in my place a gentleman who I have no doubt will represent with dignity the new country, which God is disengaging from elements irreconcilable with its character as a Christian republic.

In my remarks to the president I thought it a proper occasion publicly to record my opinion, that I might throw into the scale the influence, however small, which I might possess from my long residence in Europe.

With regard to the French and English declarations of neutrality, the enclosed extract from the "New York Commercial Advertiser" emboldened me to express the hope that those governments, whatever might have been

their original intention, would be careful as to the manner of applying the principle adopted.

* * * * *

I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

Mr. Fay's parting remarks to the president of the Swiss confederation.

MR. PRESIDENT. I have the honor to hand to your excellency my letter of recall, and to present my estimable successor, against whom I have only one objection—that he will, I am afraid, perform the duties of his office better than I have done. I am instructed by the President of the United States on this occasion to repeat his sincere desire to continue to cultivate with you relations of the closest friendship.

I resigned my appointment as minister in Switzerland, not that I had any power or right to retain it contrary to the President's wish, but I thought it my duty, from certain considerations. This course was not induced by any discontent with Switzerland. On the contrary, I admire and love Switzerland. In my official transactions with the government, and with the different members of it, I have always found good sense and *loyauté*, and my private intercourse with the nation has caused it to rise always more in my esteem. I have been struck with the pure administration of justice, the universal love of country, the modest and yet effective character of the governments, and with the liberty of conscience asserted by superior authorities, even where embarrassed by local, contrary influences. Switzerland is peculiarly blessed by the Almighty, and she has it in her power, under Him, to be the happiest country in the world. Your free development in your present form is a necessity for Europe.

Neither has my resignation resulted from difference of opinion with the President of the United States. Our country is now occupied in a struggle with an institution as unmanageable as the hydra of Hercules. It is not my wish to misrepresent the proprietors of slaves. Many of them are sincere, Christian gentlemen. But the institution in its present form is irreconcilable with our national existence, with the religious sentiment of the majority, and with the Word of God. Nothing can be clearer than the right and duty of the American people to protect themselves from its uncontrolled development, and from being drawn downwards in their career of political and religious civilization. Man should not live by braed alone, nor by cotton alone.

The election of President Lincoln is the expression of this sentiment. The struggle in which he is engaged is one of light with darkness. Every Christian government in the world must be on his side, for he represents humanity, liberty, civilization, and religion. He represents also the principle of rational, popular government, and his course thus far has given reason to believe that he has been raised up by God to steer our nation through this tempest, by a union of moderation with energy, and of rapid decision with patient mercy and calm wisdom, if no encouragement from without be offered to the insurrection. No one who prefers good to evil would place an obstacle in his path.

The movement of certain southern States—not to say persons—represents not only rebellion against a Constitution and laws framed or freely accepted by themselves, but negro slavery and the African slave trade as one of its inevitable consequences. It represents also one of the greatest crimes recorded in history—a black, secret, long-matured, treacherous conspiracy, extending its ramifications into European countries, which, among other objects, aimed at the conquest of Cuba, Mexico, and Brazil, as the basis of a great, despotic, and African slave-trade empire, and which, by the mercy of God, must be shipwrecked against the steady firmness of the President, the honesty, the patriotism, and the religious sentiment of the American people. You will judge, Mr. President; also your government and your people; Europe and history will also judge how far any government, nation, or public press, can, consistently with its character, approve or in any way encourage such an enterprise, unless ignorant of its true nature. I have no doubt this insurrection, although it has reached such proportions, will be suppressed. We have the power, the right, and the will to suppress it. It is not a war between two powers entitled to equal international rights, any more than the rebellion in India was an international war. It is an insurrection, and nothing more, and one of the most unreasonable and unjust which the world has ever seen. The American Union, carried out according to its original intentions, offers to rapidly increasing millions material prosperity, political and religious liberty. It is a blessing for mankind; whereas the rise of a southern empire, built on such foundations, and aiming at such designs, could not but be a misfortune for itself and for all the world. It is one of the signs of our times that error not only boldly raises its head, but that it invites, with effrontery, the assistance of others, and sometimes receives encouragement from quarters where it would least be expected. I here in no way allude to the declarations of neutrality lately proclaimed by two great powers, but to opinions expressed by several journals. The declarations of neutrality have been prematurely considered unfriendly acts by a portion of my countrymen. They ought not to be so taken, unless applied in an unfriendly manner; and I have no fear that either of these enlightened and friendly governments would encourage the southern movement by receiving its representatives or suffering its marine prizes to be sold in their ports; and neither do I fear, Mr. President, that the government of Switzerland, which has always on such occasions proved itself wise and just, would ever throw its weight into the scale of insane revolution, and of negro slavery disengaged from all restraint, and of the African slave trade, by receiving any representative of that portion of our States.

In concluding, Mr. President, I have the honor to bid you farewell, and, in your person, to your estimable colleagues and to your free, well-conducted, and happy country. May it never forget whence this blessing comes, and what hand is indispensable for its continued preservation! May your lakes and mountains—the admiration of the world—ever represent, as they do now, peace, prosperity, prudence in foreign policy, and, at home, Christian liberty!

Mr. Fogg's address to the President.

MR. PRESIDENT: The just and lucid statement of the present condition and prospects of the United States made by my honored predecessor and friend leaves for myself little more than the agreeable duty of reaffirming what he has so well said.

There are crises in the lives of nations as well as of individuals. Swit-

zerland has had her crises. Times almost without number her brave mountaineers have been called to arms to put down sedition at home and repel the invaders from abroad. Thanks to the God of liberty, they have always triumphed, and the land of Tell is still the home of the free.

The United States has had her crises. In her infancy, when Washington led her brave sons to maintain her right to be one of the nations of the earth, then was her crisis. Her second great crisis is now, when a despotic institution raises the standard of intestine war, and appeals to foreign governments for sympathy and aid to break down freedom and free institutions in America. This crisis, like yours, shall be decided for liberty, and America, too, shall remain the land of the free. The cloud which is now charged with destruction will soon be dispersed, and be followed by the sunshine of a purer and broader realization of the rights of mankind.

I am instructed to assure your excellency of the cordial good wishes of the President of the United States, and of his desire to cultivate and strengthen those relations of amity and sympathy which have always subsisted and ought always to subsist between governments whose political institutions are so nearly alike.

In conclusion, let me say to your excellency and your associates that it will be my highest ambition during my residence in your country to so discharge all my duties that, while jealously guarding the interests and rights of American citizens, I may deserve the confidence and enjoy the personal friendship of all the members of your government. Should I be as fortunate in these respects as my predecessor has been, my highest hopes will be gratified.

President Knuesel's reply.

The Swiss confederation has always taken a lively interest in everything concerning the great sister republic beyond the Atlantic. How could it be otherwise? The similarity of the democratic federative institutions, the independence and liberty which both enjoy, and which they had to obtain by force of arms, has necessarily led to a mutual approach, however great the distance be which separates the old world from the new. In this may be found, perhaps, a principal reason why for a long series of years numerous Swiss families emigrated to the United States, where they sought and found a new home, and why the names of Swiss cantons and towns are now to be found where for thousands of years uncultivated and unpopulated forests and prairies existed. The intercourse between the two nations has since steadily increased; the produce of one country finds its market in the other, and numerous points of connexion develop themselves ever more and more.

This harmony of political principles, sympathies, and interests has for its consequence a steadily increasing approach of both nations, which has already on different occasions shown itself by marks of mutual cordiality. Names like that of William Tell, so dear to Switzerland, were given to sea vessels by citizens of the United States. The federal council responded to that salutation by hoisting the Swiss flag on the mainmast of those ships. To the colossal monument which the United States erected in memory of their liberator, the immortal Washington, Switzerland has contributed a stone with an inscription. Many more similar marks of mutual esteem might be enumerated; suffice it to add the remark that a treaty of friendship and commerce, concluded a few years ago, has but strengthened the relations between the two countries.

Switzerland, from the sincere sympathy which she has for the welfare of the Union, looks with anxiety upon the issue of the events which now shake

that country. Switzerland passed through a similar crisis fourteen years ago, which threatened to tear asunder the then loose connexion of the twenty-two cantons. But renewed rose the present confederation from that tempest; strengthened internally and abroad, she now stands there, esteemed by the nations. May God grant that the connexion of the States of the United States of America may also emerge renewed and strengthened out of this crisis.

The president of the Swiss confederation presents his best thanks, through your excellency, to the President of the United States for his assurances of friendship and sympathy. He hopes that the new minister resident will thoroughly acquaint himself with our relations and laws. That would render the more possible for him a strict performance of his duties; the protection of the rights and interests of American citizens, and the preservation of a good and ever friendly understanding with the Swiss government, which wishes to unite *loyauté* with their maintenance of authority. The President of the confederation may add that he thinks the retiring minister resident has learned to esteem Switzerland, her authorities and nation, and he may give to Mr. Fay the plain assurance that he has acquired the esteem and the love of the country and her magistrates. The President of the confederation doubts not a moment that the relations between the federal council and the present representative of America will always be of the most friendly character.

Mr. Fogg to Mr. Seward.

No. 1.]

UNITED STATES LEGATION,
Berne, July 8, 1861.

SIR: Leaving New York for my post of duty on the steamer "Adriatic," the 14th day of May, I reached Berne *via* Galway, London, and Paris, June 27, having previously ascertained by correspondence with my predecessor that it would be agreeable to him for me to take possession of the office, legation property, &c., the 1st day of July.

Making it my first duty, after arriving, to call on Mr. Fay at his house, I was received with the utmost frankness and cordiality, and with the offer of every facility to render my entrance upon my new duties pleasant to myself and favorable to the non-interruption of that *entente cordiale*, now and for years past so happily existing between the American legation and the several members of the Swiss government.

Mr. Fay very kindly undertook to notify the president of the confederation of my arrival, and ask an audience to enable him to present his own *letter of recall*, and myself and my *letter of credence* on the Monday following. Having received promise of an audience on the day named, Mr. Fay called with his carriage, and we went together to the palace of the federal council. The sequel has been narrated and transmitted to the State Department by Mr. Fay in his despatch numbered 431, dated July 2, 1861.

Subsequently we called upon the other members of the Swiss government and upon the foreign ambassadors resident at Berne, to all of whom I was kindly introduced, and by all of whom as cordially received—not without uniform, and, I am sure I may add, sincere expressions of regret at the termination of Mr. Fay's official relations with the government and the diplomatic corps.

During our entire round of visits and presentations it was painfully pleasing to be constantly reminded of the profound interest with which the

contest now going on in the United States, between liberty and union on the one hand, and despotism and secession on the other, is watched alike by the friends of republicanism and of absolutism. Here, however, the rebels have no friends—not even among the representatives of absolutism in Europe. On all sides, the sanguine assurances I have felt at liberty to give of the certain triumph of our system and constitution of government over the conspirators for its overthrow, has seemed to give unalloyed satisfaction. That the future may justify these my assurances, will be my constant prayer, with that of millions in other lands.

I should not do justice to my own feelings did I omit to say that I have found Mr. Fay a true Christian gentleman, and an American whose heart has, by absence, lost none of its devotion to the liberties and good name of his native land. Thoroughly sympathizing with the principles and purposes of the present administration of the United States government, and possessing large experience and an enviable reputation in Europe, I trust it may not be deemed impertinent in me to express the hope that the State Department will not be a long time in finding some field where his familiarity with international and diplomatic affairs will be a necessity to the government.

With an ardent desire for the preservation of the free spirit of our government and the integrity of our national Union, I have the honor to subscribe myself, with the highest consideration, your obedient servant,

GEORGE G. FOGG.

HON. WILLIAM H. SEWARD,

Secretary of State of the United States of America.

Mr. Seward to Mr. Fogg.

[Extract.]

No. 6.]

DEPARTMENT OF STATE,
Washington, July 29, 1861.

SIR: Mr. Fay's despatch of July 2 (No. 431) has been duly received. The account he has given us of his retirement and your entrance upon the mission, as also the sentiments expressed by him and by yourself to the president of the republic, and the reply of that eminent magistrate, are exceedingly interesting. The President of the United States appreciates very highly the liberal and friendly feelings of the Swiss republic, and derives from them new motives to maintain relations so auspiciously established.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE G. FOGG, Esq., &c., &c., *Berne.*

Mr. Seward to Mr. Fogg.

No. 8.]

DEPARTMENT OF STATE,
Washington, August 6, 1861.

SIR: Your despatch No. 1, dated 8th July last, has been received. Your account of your interview with Mr. Fay, and of the circumstances of the audience granted you by the government of the republic of Switzerland, is

interesting and entirely satisfactory. The sentiments you expressed on that occasion are approved by the President of the United States, and the generous reply made to you by the president of the federal council of Switzerland, as narrated to us in the last despatch of Mr. Fay, has been received with deep emotion. We feel assured that whatever may be the changes of existing relations between us and other countries, Switzerland and the United States will always remain friends.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE G. FOGG, Esq., &c., &c., *Berne*.

Mr. Seward to Mr. Fogg.

No. 13.]

DEPARTMENT OF STATE,
Washington, September 14, 1861.

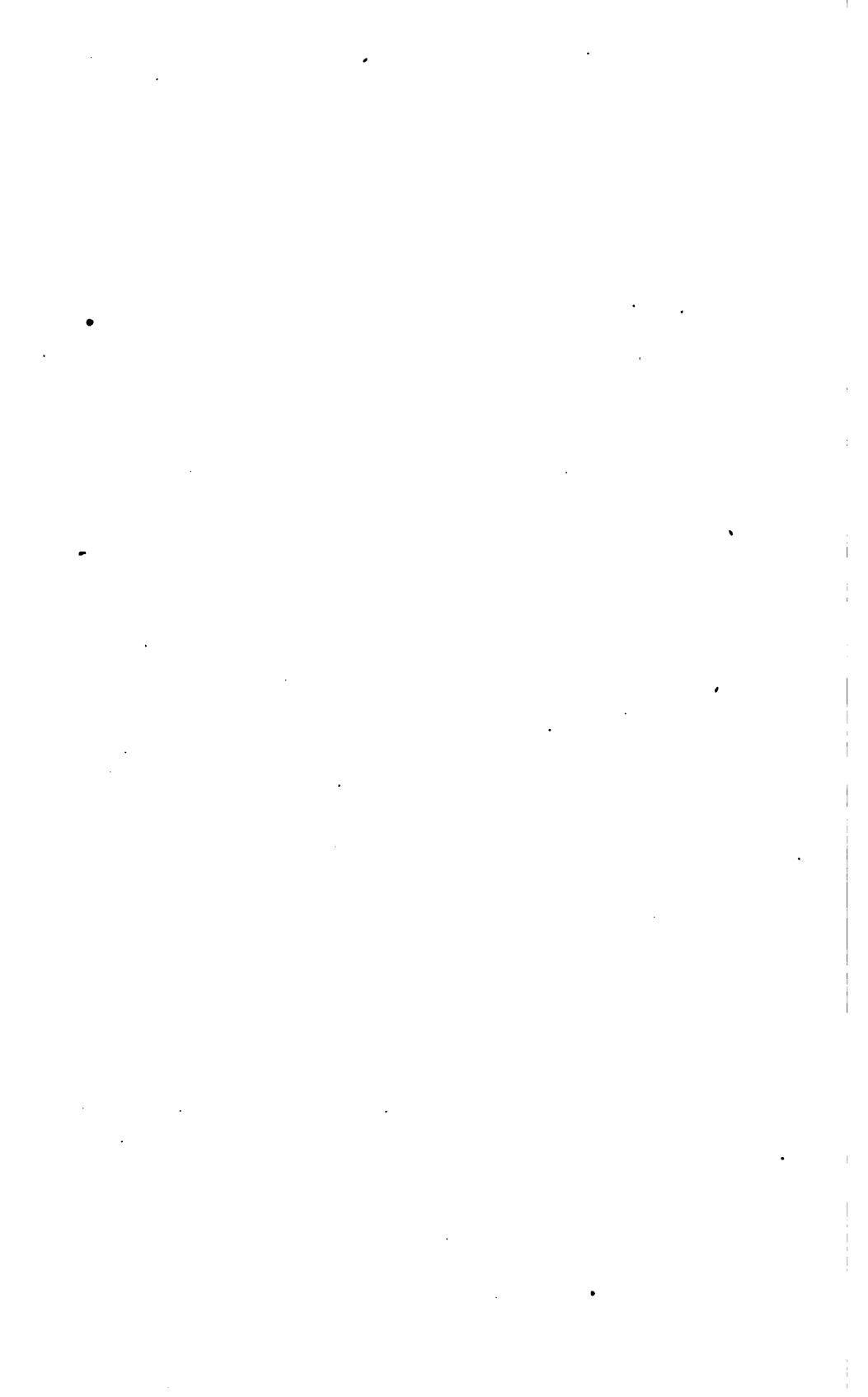
SIR: Among the important instructions addressed to your predecessor are those concerning the restrictions of certain of the Swiss cantons against citizens of the United States professing Judaism—a subject which received at Mr. Fay's hands a large share of earnest attention, and upon which he addressed the department repeatedly and at much length. It is very desirable that his efforts to procure the removal of the restrictions referred to—which, though not completely successful, have no doubt had much effect in smoothing the way to such a result—should be followed up by you. You will, therefore, after having fully acquainted yourself with what Mr. Fay has done in the premises, and with the views of the department, as expressed to him in the despatches on file in the legation, take such steps as you may deem judicious and likely to advance the benevolent object in question.

It is not doubted that further proper appeals to the justice and liberality of the authorities of the several cantons whose laws discriminate against Israelitish citizens of the United States will result in a removal of the odious restrictions and a recognition of the just rights of those citizens.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE G. FOGG, Esq., &c., &c., *Berne*



NETHERLANDS.

Mr. Seward to Mr. Pike.

No. 4.]

DEPARTMENT OF STATE,
Washington, May 16, 1861.

SIR: The government is preoccupied with the civil war which has been inaugurated with the reckless purpose of overthrowing the Constitution and the federal Union. It has little time to think of our foreign relations, and when it does think of them it is chiefly to consider how and in what way it can most effectually counteract the efforts of the revolutionists to procure European intervention in their favor.

The Netherlands lost even their independence for a time through the disastrous operations of the French revolution of 1789. They are slowly, but surely, recovering advantages and prestige which they enjoyed before that calamity occurred. Their policy is peace and friendship with all nations, and certainly they have always manifested the most liberal sentiments towards the United States. In view of these circumstances and dispositions the President does not apprehend any danger that the government of the Netherlands, or its very intelligent people, will lend aid, countenance, or sympathy to the misguided partisans who, in a frenzy of passion, are compassing the ruin of our country.

I have looked through the correspondence of this department with your legation, and I find that, although our commerce is known in every part of the world, and although the Netherlands have no insignificant possessions in each of its great continental divisions, yet that there is not even one case of controversy or dispute between the two nations.

What, then, will you do at the Hague? You can do much, and, first, in relation to Japan. The government of the Netherlands is probably an ally of Japan. I enclose the copy of a note of the 14th instant, addressed by this department to the respective diplomatic representatives of Christian powers here who have treaties with Japan. You will submit the suggestions contained therein to his Majesty's government, and if they should be frankly received, I shall be prepared to submit a project of a convention to carry them into effect.

I have especially called the attention of Baron de Limburg here to this matter, and invited him to consult with his government. Should he comply with this request, your own action will be merely in co-operation with him, and the needful negotiations may be had with him here if his government shall prefer.

The government of the Netherlands may perhaps have forgotten that New York, one of the largest and most prosperous of these States, was colonized by emigrants from that country, and that their descendants still cherish lively affection for the land of their ancestors. The flow of emigration from the Netherlands to this country was arrested by the revolutionary wars which occurred in both countries at the close of the last

century; but it has resumed its course within the last twenty years, and the thrifty adventurers already constitute an important portion of the population in some of our new western States. The intercourse between persons of this class and their relations and friends is very intimate. All who come hither from the Netherlands, whether as settlers or transient passengers, are admitted and enjoy entire freedom of movement, and are never required to exhibit a passport under any circumstances. It is a fact very honorable to themselves, and to their native country, that not one of them has ever manifested a purpose or even a thought of hostility against this government. I am sure that the citizens of the United States who have occasion to visit the Netherlands are equally free from any sentiments of unkindness, or of hostility against the government or people of that country. Why, then, should not the government of the Netherlands relax the rigor of its police system so far as to dispense with the requirement that the citizen of the United States shall arm himself with a passport when visiting that country? The President desires that you submit these thoughts to the minister for foreign affairs in an earnest, but not importunate manner. If they should be favorably received, you will be authorized to enter into a convention to give them effect.

One of our first treaties was made with the Netherlands in the year 1782. Article XIX of that treaty was as follows:

"No subject of their high mightinesses, the states general of the United Netherlands, shall apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the said United States of America, or any of them, or the subjects and inhabitants of the said United States, or any of them, or against the property of the inhabitants of any of them, from any prince or State with which the United States of America may happen to be at war; nor shall any subject or inhabitant of the said United States of America, or any of them, apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the high and mighty lords, the states general of the United Netherlands, or against the subjects of their high mightinesses, or any of them, or against the property of any one of them, from any prince or State with which their high mightinesses may be at war. And if any person of either nation shall take such commission or letters of marque, he shall be punished as a pirate."

There have been several changes of the government of the Netherlands since that time, and it has thus become doubtful whether that treaty is now in force.

You will have perceived in the archives of the legation a letter which was addressed to you on the 10th instant, on the subject of the amendments to the law of nations in regard to the laws of maritime war applicable to neutrals, which was proposed by the congress at Paris in 1856. It is presumed that the government of the Netherlands will be well disposed to enter into a convention for the acceptance of these propositions, the material one being in effect the same as the treaty stipulations to which I have thus referred.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Murphy to Mr. Seward.

[Extract.]

No. 52.]

LEGATION OF THE UNITED STATES,
The Hague, April 2, 1861.

SIR: * * * * *

I have also to acknowledge the receipt of the despatch of your predecessor, No. 37, of the 28th of February last, in relation to the so-called "Confederate States of America." Upon receiving it I called upon the minister of foreign affairs and inquired whether any person or agent had presented himself to this government on behalf of those States; and, upon receiving an answer in the negative, I desired him, in case any person should do so, to inform me immediately, and before any action should be had to receive such representative, as I would in that case make a communication to him on the subject. He promised me that he would do so. I did not deem it necessary to be more explicit at the present time.

Since my former despatch there has been a resignation of all the members of the ministry, and a reconstruction of the cabinet. Some of the old members have been reinstated, but most of the members are new appointments. The ministry of foreign affairs has been devolved upon Baron T. P. F. de Zueglen de Nyevelt—not the late minister of the same name, though he occupied the same post a number of years since.

I have the honor to be, sir, yours respectfully,

HEN. C. MURPHY.

Mr. Murphy to Mr. Seward.

No. 53.]

THE HAGUE, April 10, 1861.

SIR: I have the honor to acknowledge the receipt of your circular despatch of the 9th of March, in regard to the intervention of foreign powers in the domestic affairs of the United States at the present time. In compliance with the instructions contained therein, I immediately addressed the minister of foreign affairs of this government a communication, of which a copy is annexed to this despatch. The King is at present on his annual visit to Amsterdam, and will not probably return under ten days; and I presume nothing will be done in the ministry of an important character until he shall have returned. No person has yet appeared here on behalf of the seceding States; and if any one or more should come on their account, I apprehend nothing will be done by the Dutch government until the great powers shall have acted in regard to an acknowledgment of their independence or a treaty. You may rest assured that the present difficulties in the United States are regarded by this government with regret, and that it will do nothing to encourage the seceding States under existing circumstances. I speak, however, on this subject, as yet, of course without any official intimation, and merely from the tone and temper of the well-informed circles—as well those connected with the government as others. There is in the Dutch character a strong repugnance to political changes, except when a strong sense of wrong and injury exists. The government and people, as you well know, are conservative beyond any other nation. I will not fail, however, to inform you of everything which shall transpire here on this subject, and without delay.

I have the honor to be, sir, yours respectfully,

HENRY C. MURPHY.

HON. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Murphy to the Minister for Foreign Affairs.

THE HAGUE, April 8, 1861.

The undersigned, minister resident of the United States of America, has the honor to address his excellency Baron Van Zuylen Van Nijvelt, minister of foreign affairs of his Majesty the King of the Netherlands, on the subject of the present complication of the internal political affairs of the United States, and, for the better understanding of the views of his government in relation thereto, to invite the attention of his excellency to the accompanying address of the President on assuming the administration of the federal Union. His excellency will find therein a statement of the alleged grievances, of the revolutionary nature of the proceedings of a number of the States of the Union which have attempted to secede and have formed a provisional government of their own, and of the line of policy which the government of the Union will pursue for the purpose of preserving peace and for the maintenance of the Union.

The undersigned will further remark, in explanation of this statement of the President in regard to the character of the secession movement, that the government of the United States is not simply a confederation, but a union, which has been invested by the people of the different States, acting in their original sovereign capacity, with certain powers, which are exclusive and paramount throughout the republic, such as the making of war and peace, the regulation of commerce, whether between the States themselves or with foreign nations, the establishment of post offices and post roads, the defining and punishing piracies and felonies on the high seas, the maintenance of a navy, and the laying and collecting taxes and duties for the common defence and welfare, besides various others entirely of a domestic bearing, but all operating on all the States and the citizens thereof as one people. In other words, in all that concerns the foreign relations of the several States, as well as in many details of internal regulation, the United States are as much a consolidated government as the kingdom of the Netherlands, with its provincial divisions and assemblies—the only difference being, that in the United States all powers not granted to the federal government are reserved to the States and the people, and, consequently, original and more extensive powers are exercised by the legislatures of the several States. Any attempt, therefore, on the part of any State or number of States, or of any section of a State, to interfere with the exercise of the powers conferred on the general government by the Constitution is revolutionary; and any pretended or actual exercise of like powers by them is an usurpation.

The condition of affairs now existing in the United States is altogether of an anomalous character, arising from the principles upon which the government is founded. Those principles acknowledge the right of self-government in the people, and the exercise of perfect freedom of speech, of assembly, and of the press. A majority of the electors, in the manner and under the forms prescribed by the Constitution, elect the President, and thus give administrative vitality to the government. In the canvass preceding the election, which takes place every four years, discussions of subjects of vital interest to the country are carried on in the press and on the stump with such effect that, although the voting body comprises over three millions of persons, probably not five per cent. of the whole number fail to vote on such occasions. Popular passion is aroused, every motive is appealed to by the rival parties, and, when a conclusion is reached, there is oftentimes a feeling of disappointment on the part of the minority. But this

feeling has never heretofore interfered with their loyal submission to the will of the majority. In the recent canvass, the questions connected with the institution of slavery were almost exclusively agitated, principally in regard to its extension into the Territories, or, as it might be termed in this country, the lands of the generality. The decision of the people has been adverse to such extension, but altogether by the votes of the non-slaveholding States. Advantage has been taken of this circumstance by designing men to make the minority, or rather that portion of it residing in the slaveholding States, believe that their constitutional rights, in regard to that species of property known as slaves, were in danger of being destroyed by the majority. The fear of such a consequence is groundless; but, acting upon such apprehensions, the people of the seceding States have precipitated themselves into their present position.

No complaint has been made in any quarter of any improper act of the general government, or of any violation by it of its powers, or of the rights of slaveholders, as a ground for the existing discontent. The evils are anticipatory only, so far as the action of the general government is concerned. On the other hand it is true that, notwithstanding the apprehensions and fears which have been excited in the bosoms of a portion of the American people in regard to the policy of the government, and the steps which have been taken by them for the formation of an independent government, it is not to be doubted that the great majority of the people of those seceding States still cherish a love for the Union of their fathers, its memories, its prestige, and its blessings. Independent of this fact, the permanent dismemberment of the Union is fraught with so much evil to them, as well as to the country at large, as to justify the belief that a calm view of the consequences, combined with their patriotism, will cause them to retrace their steps. A separate government on their part entails the necessity not only of an entire new corps of officers of government, but also of a standing army where none now is necessary, of an independent navy, of a cordon of revenue officers along an extensive coast and frontier line; all attended with heavy expense and increased taxes. These consequences, and the severance of family ties and brotherhood existing between individuals residing in different States, are to come home to them when passion and delusion shall have passed away; and when they shall discover, as discover they will, that the general government entertains no designs against their peace or property, but on the other hand will, as it is bound to do, defend both.

The undersigned would also impress upon the government of his Majesty the fact that no one questions the election of the President according to the provisions of the Constitution. He is the choice of the country, and is fairly entitled to the exercise of all the powers conferred upon the executive head of the federal government by the Constitution. Every citizen within every State is bound to obedience to his lawful authority. It is the sworn duty of the President to administer faithfully the Constitution and laws of the United States, and the obligation of every citizen and individual is perfect to uphold and sustain him in its performance. But the President will seek by a just and liberal administration, and by a paternal regard for the rights and feelings of all sections of the country, to give occasion and opportunity for the deliberate and loyal action of the people. It is under these circumstances that the President entertains the fullest confidence in the restoration of the harmony and unity of the government at no very distant day.

The friendship and good will which his Majesty the King of the Netherlands has always manifested towards the United States, the President regards as an assurance that his Majesty's government will not yield to solicitations to intervene in any unfriendly way in the domestic affairs of the United States. It is evident that any encouragement to disaffection

from abroad would thwart the efforts of the President for a reconciliation and defeat his just expectations in that regard. It is a question, moreover, which involves important interests to all nations with which the United States are in commercial relation, and to all constitutional governments. The form of government which the people of the United States have adopted is one which experience has proven is best adapted for the peace and protection of the States, for the welfare of the people, and for the development of the enterprise and resources of its vast territory. Nor has its influence, it is believed, been without its salutary effect upon the fatherlands, whence that population has originally sprung.

It has, however, been a government of example only as to other nations, and has steadily pursued the policy of not interfering with their internal affairs. Under it close commercial relations have sprung up, particularly with all the western powers of Europe, and with the kingdom of the Netherlands have never for a moment—now more than three-fourths of a century—been interrupted. If at present there happen some inconveniences to the trading interests of the subjects of his Majesty, it will be the endeavor of the President to render them as light and transient as possible; and should any injury be sustained therefrom by the subjects of his Majesty, the President is determined, the undersigned is instructed to say, that they shall, so far as it may rest with him, be amply indemnified. Should a state of civil war be precipitated, by any cause whatever, those inconveniences would be turned into evils of a wide-spread and disastrous character to other nations. Not only would the channels of commerce be closed, or, at least, seriously interrupted, and the agricultural and mining products of the United States, many of which have become necessary for other nations, be withheld; but the political systems of Europe and the cause of well regulated and constitutional government would suffer everywhere. A state of anarchy must ensue if the revolution be pursued. It is not to be expected that an empire of thirty-one millions of souls can be broken up, and the glories and blessings of its free government be thrown away at the behest of six millions, one-half of whom only are of the white race. The policy hitherto has been, on the part of the general government, and will continue to be, to avert such a calamity; and in asking the non-intervention of friendly nations, while it pursues a course of peace itself, it demands, it is confidently believed, what is most consistent with the cause of humanity and good government everywhere. And to no power is this caution addressed with more confidence than to his Majesty the King of the Netherlands.

The undersigned embraces this occasion to renew to his excellency Baron Van Zuylen Van Nijvelt the assurance of his high consideration.

HENRY C. MURPHY.

Mr. Murphy to Mr. Seward.

No. 55.]

THE HAGUE, April 30, 1861.

SIR: I have the honor to transmit to you hereunto annexed a copy of the reply of the minister of foreign affairs to my note addressed to him on the 8th instant, of which a copy was transmitted to you with my despatch, No. 53, of the 10th instant. After reciting very particularly the contents of that note, and expressing the regrets of his Majesty at the posture of our affairs and his hope that the difficulties will be surmounted, the minister concludes in these words:

"The undersigned, in acquitting himself of the orders of the King, has the honor to bring at the same time to the knowledge of Mr. Murphy that, already in the month of December last, the envoy of the King at Washington had recommended to the Dutch consuls in the United States to abstain from all intervention in the political affairs of the country within their jurisdiction, and that this requirement has been approved by the government of the Netherlands."

If the note required an answer at this time, it certainly should have received something more to the point than this paragraph. I apprehend, however, that this government will say nothing in regard to the recognition of the independence of the seceding States until the great powers of Europe have taken their ground, and that it will follow them if they be in accord.

I have also the honor to acknowledge the receipt of your despatch No. 39, with the gold medal for Captain Van Albuy, of the Dutch bark *Hendrica*. I have, in accordance with your direction, transmitted the medal to the minister of foreign affairs, with a request that it be presented to Captain Van Albuy in the name of the President.

I am, sir, yours respectfully,

HENRY C. MURPHY.

HON. WILLIAM H. SEWARD, &c., &c., &c.

M. Zuylen de Nijevelt to Mr. Murphy.

[Translation.]

THE HAGUE, April 26, 1861.

The undersigned, minister for foreign affairs, has had the honor to receive the note which Mr. Murphy, minister resident of the United States of America, has pleased to address to him on the subject of the existing complications of political affairs in the United States; the said note being accompanied, for the better understanding of the views of his government, by the address delivered by his excellency the President on assuming the administration of the federal Union.

In calling, by his note, the attention of the undersigned to the exposition contained in the address of the wrongs alleged by some States of the Union, of their proceedings to attempt a separation, and the formation of a separated provisional government, as well as on the line of conduct which the federal government proposes to follow for the purpose of preserving peace and upholding the Union, Mr. Murphy further remarks, in explaining this part of the President's address, upon the character of the secessionist movement, that the government of the United States is not merely a confederation but a Union, invested by the people of the different States with powers, exclusive and controlling throughout the republic—powers which, embracing the foreign relations and numerous details of domestic interest, operate over all the States and over their citizens collectively, so that, adds the note, any attempt of any State, of a number of States, or of any part of a State, to interrupt the exercise of the powers confided to the general government is revolutionary; and any exercise, pretended or real on their part, of like powers, is usurpation.

After having enunciated these principles as the basis of the general government, and pointed out the mode established for the election of President, the minister resident enters into some details about the recent election of the actual President; the result is, that on former elections the will of the

majority has been loyally submitted to, but that this example has not been followed by the minority in respect to Mr. Lincoln, whose election, furthermore, is in nowise contested in regard of its constitutional validity. This fact the said note attributes to apprehensions entertained in the slave States that a blow might be aimed at this portion of their property—apprehensions which nothing in the intentions of the general government justify, but which have prepared the way upon which those States have rushed.

Nevertheless and despite the fears excited among a noticeable portion of the American people, notwithstanding the attempt made to form an independent government, the government of the United States is persuaded, according to the note, that the great majority of the people in the separatist States will constantly preserve its regard for the Union of their fathers, their memory, their influence, and their greatness. But, independently of this fact, the mischiefs and disadvantages which a permanent dismemberment of the Union would draw, as well upon the separating States as upon the country generally, justifies the expectation that upon a calm review of the circumstances they will come back upon a better track.

The President, flattering himself that he will see the harmony and unity of the government soon established, and relying on the friendship and good understanding existing between the two countries, expresses through the channel of Mr. Murphy his confidence that his Majesty the King of the Netherlands will not lend himself to applications for interference in the domestic affairs of the United States, unless in an amicable and conciliatory sense, nor to any encouragement whatever of the disaffected, which would only counteract the efforts of the President to bring about a reconciliation.

Finally, Mr. Murphy wishes to give assurance that the President will strongly endeavor to lessen as much as possible the inconveniences which must result to commerce from the actual condition of things, and that he proposes to indemnify the injury which the subjects of his Majesty may suffer as far as may depend upon him.

The undersigned having placed the above-mentioned note before the King, his Majesty was particularly grieved by its contents. He has charged me to signify this to the minister resident, adding that if he deeply deplores the situation in which the United States are for the moment placed, nevertheless he has been happy to witness the confidence which the government expresses of being able to surmount existing difficulties; that he entertains the most sincere wishes for the success of the efforts which will be made for the purpose of saving and preserving not only the interests of the States of the Union, but also the interests of the political and commercial world in general.

The undersigned, in acquitting himself of these orders by these presents, has the honor at the same time to bring to Mr. Murphy's knowledge that, so long ago as the month of December, the King's envoy at Washington directed the consuls of the Netherlands in the United States to abstain from any interference whatever in political affairs in the districts of the consular offices, and that this prescription was approved afterwards by the government of the Netherlands.

The undersigned seizes this occasion to reiterate to Mr. Murphy the assurances of his high consideration.

DE ZUYLEN DE NIJEVELT.

Mr. Murphy to Mr. Seward.

No. 56.]

THE HAGUE, May 27, 1861.

SIR: I have the honor to inform you that no communication has as yet been made to this government on behalf of the seceding States; nor, as far as I can learn, has any attempt been made by private persons to fit out vessels to attack our commerce. I have received a letter from an officer of the Dutch cavalry, tendering his services to the United States, but I have declined to forward the same to my government, assuring him that the people of the United States would dispose of the question themselves. On the other hand, it is not to be disguised that public sentiment here is much more favorable to the seceding States than it has been. The message of Mr. Davis, recently delivered to the congress of those States, has been extensively published here, in substance, not at full length, and has had much influence on the question from the specious ground of the Union being a mere confederation of independent States. Besides, Holland, or the Netherlands, has had a bitter lesson of experience under similar circumstances. The rebellion of Belgium, in 1830, was resisted with all the power of this government, which would probably have succeeded in crushing it if England and France had not interfered, and the immense public debt with which this country is oppressed was then mostly incurred, while Belgium was, notwithstanding, lost. Reasoning from this point of view, there are not a few who regard the present position of the United States an expensive and useless effort. I state these circumstances for your information.

The affairs of this country are in a prosperous condition. The great calamities by inundation both here at home and also in Java have shown that there is abundant resources to meet such misfortunes. They have called forth and received liberal contributions from private persons, without requiring any aid from the government. Political matters are quiet. The first chamber of the states general is now in session, and is engaged in considering the bills adopted by the other body, the most important of which are those relating to the budget and the reorganization of the judiciary.

I have the honor, sir, to be yours respectfully,

HEN. C. MURPHY.

HON. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 1.]

LEGATION OF THE UNITED STATES,
The Hague, June 8, 1861.

SIR: I hasten to inform you that his Majesty the King of Holland received me to-day in private audience, agreeably to the prescribed ceremonial, and that I delivered to him in person my credentials as minister resident of the United States at this court.

I arrived here on the first day of the present month and have waited till now for my audience. In my interview with his Majesty I took occasion to express the earnest desire of the President to maintain and cultivate those friendly relations that have so long and so happily subsisted between the United States and Holland, and especially with his Majesty's government.

I further observed that it would be my cherished aim, as it would be my most pleasing duty, in the discharge of my official duties, to foster and promote the good understanding now existing between the two countries. The King received me graciously, and promptly came forward to receive my credentials, and at once entered upon some friendly inquiries as to whether I had been in the country before or had been elsewhere in the diplomatic service. I replied that our American diplomatists generally were not educated after the European method, and that we labored under some disadvantage in consequence. His Majesty remarked that he had had the pleasure to meet Mr. Buchanan in Holland after he had served in Russia and in England. After some further brief conversation, in which the King expressed his pleasure at making my acquaintance, the audience terminated.

I found, on my arrival here, your despatch, No. 2, of the date of the 10th of May, covering a circular of the 6th of that month, in relation to agents of insurrectionary assemblages sent to Europe on errands hostile to the peace of the United States; also a copy of a despatch of the 24th of April, addressed to the several ministers of the United States accredited to the maritime powers whose plenipotentiaries composed the congress at Paris the 16th of April, 1856, calling their attention to the importance of endeavoring to negotiate with those powers conventions upon the subject of the rights of belligerents and neutrals in time of war; also the draft of a convention in reference to the subject therein discussed, with a full power and instructions to execute the same with the government of the Netherlands. I shall lose no time in communicating with the Dutch government upon the subject. Meantime I will observe that in an informal conversation with the minister of foreign affairs, since my arrival, I learned from him that Holland was the first power, not present at the convention referred to, to acquiesce in the propositions there laid down.

* * * * *

I cannot learn that any agent or agents of the seceding States have appeared in Holland for any purpose connected with their revolutionary or warlike plans, and from what I see and hear I conclude that no countenance would be given to them if they should.

The death of Count Cavour, the news of which reached here the morning of his decease, has created a profound sensation in diplomatic circles and is deeply deplored by the friends of Italy as an irreparable loss to that country.

I beg to add that I have found my predecessor, Mr. Murphy, unceasing in his endeavors to facilitate my labors here, and it gives me unfeigned pleasure to bear this testimony in his behalf, and to the highly honorable position which I believe him to hold among his colleagues.

I have the honor to be, with great respect, your obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pike to Mr. Seward.

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES,
The Hague, June 12, 1861.

SIR: I have taken the earliest opportunity to have an interview with the minister of foreign affairs upon the condition of the internal concerns of the United States, and also upon the subject-matter of your despatch No. 2, to which I referred in my last.

I assured him of the determined purpose of the United States government to put down the rebellion of the seceding States at all hazards, and stated its determination to adopt whatever measures are necessary to accomplish that object. I explained to him the character of the rebellion, and showed it to be merely a war in behalf of African slavery, and that if we had no slavery we should have no war and no rebellion. I further explained that the government possessed extraordinary means of ending the rebellion whenever it chose to employ them. The union of the States could be restored whenever the government saw fit to render the institutions of the several States homogeneous. For when they were once made free States there would be no wish to separate and no tendency to separation. But I observed that the government was desirous to adopt only moderate measures, and hoped that such measures would be sufficient to cause the leaders of the rebellion to succumb and to restore peace. But to accomplish the high object of maintaining the government and preserving the territory of the country from dismemberment, it was ready to make any sacrifice of mere material interests that necessity demanded. I showed that the government had abundant resources, and more men offering for the military service than it could employ.

The minister of foreign affairs, in reply to my inquiries, informed me that no agent or agents of the seceding States had appeared here, though he had heard they were in London. He said they would receive no countenance if they were to come. He observed that the Dutch government had considered the question of the proposed letters of marque to be issued by the seceding States, and were upon the point of issuing a proclamation and orders forbidding the use of their ports by privateers, a copy of which he said he would furnish me as soon as issued.

He expressed the opinion that the powers of Europe were unanimously in favor of the Paris declaration abolishing privateering, and said if the United States would concur in it, that privateers would have to be regarded as "sea-robbers." He believed there would be no opposition to negotiating treaties, based on the propositions of the Paris conference, with all the European powers which had agreed to them, of which Holland was one.

The minister seemed to be aware of the causeless character of the rebellion in the seceding States, and of the ability of the government to deal with it, concurring in the opinion that we had more men than were needed.

He informed me that his government had ordered four ships-of-war to be in readiness to sail for America to look after its commercial interests there, and that the first ship would be despatched on the 15th instant, and that the others would speedily follow. I subsequently learned from the minister of marine that the fleet would consist of two frigates and two brigs-of-war, and that after the flag-ship had communicated with the Dutch minister at Washington, the fleet would rendezvous at Curaçoa, and spend the winter in the West India seas.

I forebore to press the question of the immediate negotiation of a treaty in reference to privateering. Having satisfied myself of the favorable disposition of the government in respect to the question, and having learned its intention to issue the proclamation and orders referred to, and intimated with sufficient distinctness the ground the United States government was now disposed to occupy on that subject, I thought it prudent to await further developments of the question by our ministers at the courts of France and England, whose example Holland would be sure to wait for. I did not deem

it advisable to ask the government here to take a lead to which I was aware it would be adverse. I shall be on the alert to seize the proper moment to recur to this subject.

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I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 3.]

LEGATION OF THE UNITED STATES,
The Hague, June 14, 1861.

SIR: I received yesterday your circular of the 20th of May, relating to the purchase of articles in Europe, contraband of war, for the use of persons in insurrection against the United States government.

* * * * *

The extraordinary unanimity and energy displayed by the government and loyal people of the United States in their measures to suppress the rebellion of the seceding States excites constant comment and high admiration in all quarters on this side of the Atlantic. The echoes of the first utterances of the British trading public, in favor of permitting the peaceable secession of the revolting States, have quite died away, and, instead, is now heard denunciation of the folly and madness of the secessionists, along with the expression of a general judgment that they will inevitably be forced to succumb. The growth of this sentiment, fostered by the character of the almost daily news from America, is strengthening the cause of the government on this side of the Atlantic and correspondingly weakening the cause of the secessionists. I think, therefore, that the whole weight of European opinion, which naturally desires a speedy end to the war, will soon be thrown in great force against the revolting States, and thus furnish important moral aid in putting an end to the struggle. I am satisfied, from what has come under my personal observation, that the high tone adopted by the United States government in regard to foreign interference in behalf of the secessionists has had a most salutary influence upon the action of European governments, great and small. Many of them have no objection to seeing the United States in difficulty; but they entertain a healthy apprehension that our government may find a speedy way out of it, and retain a lively recollection of those who would take advantage of its temporary embarrassments.

I have the honor to be, with high respect, your most obedient servant,
JAMES S. PIKE.

Hon. WM. H. SEWARD.
Secretary of State.

Mr. Seward to Mr. Pike.

No. 6.]

DEPARTMENT OF STATE,
Washington, June 14, 1861.

SIR: Mr. Murphy's despatch of the 10th of April, (No. 53,) informing us that he had submitted our circular letter, with an appropriate communication of his own, to the Baron Zuylen, his Majesty's minister for foreign affairs, was duly received; and we have also received Mr. Murphy's despatch, No. 55, with which was transmitted a copy of the reply of the government of the Netherlands to the papers thus submitted to them.

Mr. Murphy executed the duty committed to him in a very proper manner, and you are instructed to express to his Majesty's government the President's high appreciation of the just and friendly sentiments which that government has manifested and expressed in regard to the domestic disturbance in our country, which, happily, now daily loses something of the formidable character which it at first assumed.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extract]

No. 4.]

LEGATION OF THE UNITED STATES,
The Hague, June 16, 1861.

SIR: I have obtained from the minister of foreign affairs copies of the proclamations about to be issued by this government in relation to the letters of marque recently issued by the Montgomery revolutionists.

I have the honor to enclose the copies transmitted to me in the original Dutch. I see the instructions to ministers forbid the application of the contingent fund to pay translators, and I infer from this that the department prefers original documents. These papers warn the Dutch people against privateering, as an unlawful proceeding which may be deemed piracy, and they forbid the use of the ports of the Netherlands to privateers under any flag. They refer also to the fact of the adhesion of Holland to the declaration of the congress of Paris, in respect to maritime rights, made in 1856. It will likewise be observed that the Dutch government abstains from following the British example in excluding prizes brought in by ships-of-war.

* * * * *

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WM. H. SEWARD.
Secretary of State, Washington.

[Translation.]

In obedience to the King's orders the ministers for foreign affairs, of justice, and of the marine, present to the knowledge of all it may concern, that to guard against probable difficulties during the doubtful complications in the United States of North America, no privateers under any

flag soever, or provided with any commission or letters of marque, or their prizes, shall be admitted into our havens or seaports, unless in case of marine disaster, and that requisite orders be issued that under any circumstances such privateers and their prizes be required to go again to sea as speedily as possible.

AT THE HAGUE.

The ministers above named.

[Translation.]

The minister for foreign affairs and the minister of justice, by the King's authority, warn, by these presents, all inhabitants of the kingdom, that during the existing disturbances in the United States of America they in nowise take part in privateering, because the Netherlands government has acceded to the declaration upon maritime rights set forth by the Paris conference of 1856, whereby, among other matters, privateering is abolished, and no recognition of commissions got for letters of marque permitted. Also that commissions and letters of marque, in conflict with the aforesaid prohibition, which may issue to inhabitants of the Netherlands, cannot have a lawful effect in behalf of the King's subjects, or of any abroad who are in subjection to the laws of the kingdom. Those who, under such circumstances, engage in or lend their aid in privateering to other people, will be considered as pirates, and prosecuted according to law in the Netherlands, and subjected to the punishment provided for the commission of such offences.

THE HAGUE.

The ministers above named.

[Translation.]

The minister for foreign affairs, apprised by a communication from the minister of marine, that the King has authorized the naval force in the West Indies to be seasonably strengthened by his Majesty's steam frigate *Zealand*, and the screw propellers *Dyambi* and *Vesuvius*, for the purpose of giving protection to the trade and navigation of the Netherlands during the contest which seems to be in existence in the United States of North America, wherever it may be desired, therefore esteems it to be his duty to direct the attention of ship-masters, consignees, and freighters, to the peril to which their insurance against loss will be exposed by any violation of the obligations imposed on neutral powers to respect actual blockades, and not to carry contraband of war, or despatches of belligerents.

In these cases they will be subject to all the resulting losses that may follow, without the benefit of any protection or intervention on the part of his Majesty's government. Of which take notice.

THE HAGUE, June, 1861.

The minister above named.

Mr. Seward to Mr. Pike.

No. 8]

DEPARTMENT OF STATE,
Washington, July 1, 1861.

SIR: Your despatch of June 8 (No. 1) has been received. The President approves of your conduct and the sentiments you expressed on the occasion of your first audience by his Majesty. We are gratified by your confirmation of the high opinion we had formed of the fidelity and diligence of your predecessor.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 7.]

UNITED STATES LEGATION,
The Hague, July 4, 1861.

SIR: Referring to your last despatch, in which you say "the government has little time to think of its foreign relations, and when it does think of them, it is chiefly to consider how and in what way it can most effectually counteract the efforts of the revolutionists to procure European intervention in their favor," I beg to observe that within my circle of observation I find no occasion to change the opinion I have heretofore expressed in regard to the general good dispositions of the European governments towards that of the United States.

That there is any feeling of active sympathy, I should fear to allege. Every nation has its own peculiar, and to itself, important cares and difficulties, and each devotes the most of its time and attentions to these, caring comparatively little for those of others except so far as they affect their own. The domestic disturbances of a country three thousand miles away is thus regarded with a philosophic equanimity, and I think I may say with very great indifference except in respect to the commercial bearing of the events occurring there. But if little especial sympathy is felt for the United States government, still less is felt for the insurgents, whose revolt is seen to have caused the dire calamities now existing. So that we may still be allowed to claim a balance in our favor of the good wishes of European governments.

The revolutionary state of things in the United States has been, and is being very generally and thoroughly discussed in European journals, and all such discussion favors, of necessity, the cause of the government. This is especially true of the discussions in the German publications. *

* * * * *

In Germany, where discussion always partakes more of an absolute nature than anywhere else, from causes not necessary to delineate here, American affairs are more justly and comprehensively handled, and being more completely divested of their transitory features, results as I have stated.

On the whole, I think our government and the people it represents have not, thus far, any adequate cause to complain of the attitude of European governments, or the state of European opinion, toward them. The insurgents are nowhere in favor, and certainly have not received so much toleration and encouragement in Europe as was extended to them by a portion of

our own press and by the administration of Mr. Buchanan, previous to the breaking out of the war.

* * * * *

We all feel the deepest interest in the progress of events at home, and the utmost solicitude to do on this side of the Atlantic whatever is possible to further the ideas and purposes of our government. For my own part I am most anxious to go wherever, and to do whatever, I can to promote the designs and aid the labors of the administration in the great work devolved upon them.

I have the honor to be, with the highest respect, your obedient servant,
JAMES S. PIKE

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 9.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch, No. 3, dated June 14th has been received, and the information which it brings is a cause of high satisfaction. Your proceedings in the various matters mentioned in that communication are approved.

I am, sir, respectfully your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 11.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch, No. 4, dated June 16 has been duly received.

You will, at the first convenient opportunity, make known to the minister of foreign affairs the satisfaction with which the United States has received intelligence of the prompt decision and friendly action of the government of the Netherlands on the subject of the disturbances occurring in our country.

You will receive herewith, confidentially, a copy of my last despatch to Mr. Dayton on the subject of the proffer of our adhesion to the declaration of the congress of Paris. It will serve, I think, to relieve your uncertainty, and to indicate the course you shall pursue. Only Great Britain and France have assumed to say to us that they regard our country as divided or broken, for any purpose, whether of war or of peace. And we have not thought proper to receive that communication from them. We treat as being the sovereign government over all the Union—the disloyal and the loyal, all alike—or we do not treat at all. This simple statement will, perhaps, be necessary to make the paper addressed to Mr. Dayton clearly intelligible to you.

These latter remarks you will consider as confidential.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extract.]

No. 8.]

UNITED STATES LEGATION,
The Hague, July 12, 1861.

SIR: I have communicated to Baron de Zuylen, as directed, your high appreciation of the course of his government on our domestic affairs, as manifested and expressed in his reply to my predecessor's communication of the 8th of April last.

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 12.]

DEPARTMENT OF STATE,
Washington, July 26, 1861.

SIR: Your very interesting despatch of June 22 (No. 6) has been received. The President is gratified with the just and proper sentiments expressed by the government of Holland concerning the United States.

Subsequently to the sending of my despatch to you concerning the affairs of the western powers in Japan, communications have been received from the Tycoon, and his ministers for foreign affairs, measurably supported by Mr. Harris, our excellent representative there, urging a delay in opening the ports under the treaty in terms so strong that the President has concluded that I shall have a conference here with the representatives of the powers interested in the question. This conference will be held next week. You will be advised of whatever is considered.

We have met a reverse in arms. But though at first it seemed appalling, because it was as severe as it was unexpected, yet the result is even now seen to be only a signal for greater effort and more determined resolution.

I send you, confidentially, a copy of my most recent despatch to Mr. Adams.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 15.]

DEPARTMENT OF STATE,
Washington, August 15, 1861.

SIR: We learn, in a manner which obliges us to give unwilling credit, that the Sumter, an armed steamer, well known through all the American seas to be a privateer fitted out for and actually engaged in depredations upon the commerce of the United States by some disloyal citizens, under the command of an officer named Semmes, on or about the 17th of July last, entered the port of Curaçoa and communicated directly with the local author-

ities of that island; that she was hospitably received there and was permitted to take a large quantity of coals, (said to be 120 tons,) and also to take on board a large supply of provisions; that the privateer's crew was allowed entire freedom in the place; that when one of the crew had deserted, an order was given by the authorities of the port for his arrest; that the attempt for that purpose having proved unsuccessful, the same authorities pledged themselves that the arrest should be afterwards effectually made, and that the deserter should be held in custody, to be surrendered to the pirate captain on his return homeward to the island.

You are instructed to bring this matter immediately to the notice of the government of the Netherlands. The subject of damages for so great a violation of the rights of the United States will be considered when we shall have properly verified the facts of the case. In the mean time you will ask the government of the Netherlands for any explanation of the transaction it may be able or see fit to give. You will further say that the United States, if the case thus stated shall prove to be correct, will expect, in view of the treaties existing between the two countries, and the principles of the law of nations, as well as upon the ground of assurances recently received from the governor of the Netherlands, that it will disown the action of its authorities at Curaçoa, and will adopt efficient means to prevent a recurrence of such proceedings hereafter. If the case thus presented shall not be found entirely erroneous, or be very essentially modified, the United States will expect that the governor of the island of Curaçoa will be promptly made to feel the severe displeasure of the government of the Netherlands, a country with which we have lived on terms of unbroken friendship for three quarters of a century.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq, &c., &c., &c.

Mr. Pike to Mr. Seward.

No. 13.]

UNITED STATES LEGATION,

The Hague, August 18, 1861.

SIR: I avail myself of the departure of my predecessor, Mr. Murphy, for America, who sails in the *Arago* from Havre on the 20th instant, to send you this communication.

The news from America to the 8th instant, which comes to-day by telegraph, is received with satisfaction. The continued successes in Missouri; the election of a majority of Union representatives to the Kentucky legislature, giving renewed assurance of the conservative position of that important State; the prevailing quiet in Maryland and Delaware; and the failure of the confederate commanders to take any advantage of their recent extraordinary good fortune, all tend to reproduce the general state of feeling that prevailed on this side of the Atlantic before the occurrence of the disaster at Bull Run.

But there has never been anything here to correspond to what appears to have been the momentary depression and alarm felt at home after the repulse of our troops. The event was never regarded here to be of great significance, as it was a flight without a pursuit, and a victory of which the victor was not aware.

The reverse seems now to be all summed up in the fact of a failure to advance on the part of the Union forces.

Still it is not to be disguised that the obstacles to be overcome in reducing the insurgents are regarded to be formidable when the large armed force they have been able to bring into the field is considered. There exists, however, a consideration which seems to check confidence in their ability to hold out, resting on the general belief of their destitution of resources to maintain a large body of troops in the field, and that the lapse of time will thus operate unfavorably on their levies.

Your despatch of the 26th of July (No. 12) is received. I am gratified to know that I am able to communicate anything which you deem of particular interest.

It affords me still greater satisfaction to have your assurance in the copy of your despatch to Mr. Adams, therewith enclosed, that "it is not likely, anything will now be done here hastily or inconsiderately affecting our foreign relations."

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

[Extract.]

No. 14.]

UNITED STATES LEGATION,
The Hague, August 28, 1861.

SIR: The mails of to-day bring intelligence from America that the privateer steamer Sumter, bearing the so-called confederate flag, has been permitted by the authorities at Curaçoa to enter and replenish her exhausted stock of fuel and supplies with which to renew her career of depredation upon the commerce of the United States.

I have instantly called the attention of this government to these reports, and have assured the minister of foreign affairs that, if they shall be borne out by the facts of the case, in view of the recent prompt and friendly action of the Dutch government in relation to privateering, they will be regarded by the government and people of the United States with equal regret and surprise.

I think it will prove that the orders of the Dutch government to their colonial authorities to exclude privateers from their ports, which were issued about the middle of June, and of which I apprised you on the 16th of that month in my despatch No. 4, have by some means failed to reach Curaçoa. The ships which were sent out were expected to rendezvous at Curaçoa and winter in those seas. But they may be delaying their visit to avoid the heats of summer. I hope to be able to afford you more detailed information by the next mail, which want of time prevents me from obtaining now in season for this.

I thought of suggesting the publication in our newspapers of the Dutch proclamations, copies of which I forwarded to you with the despatch referred to, but I concluded the department did not need my suggestions on that head.

* * * * *
I have the honor to be, with great respect, your most obedient servant.

JAMES S. PIKE.

HON. WILLIAM H. SEWARD, &c., &c.

Mr. Pile to Mr. Seward.

No. 15.]

UNITED STATES LEGATION,
The Hague, September 4, 1861.

SIR: Since writing to you on the 28th ultimo in regard to my action on the strength of the public reports in respect to the steamer Sumter, I have received your despatch, No. 15, under date of the 15th of August, and also its duplicate.

I immediately addressed a communication to this government presenting the substance of that despatch. I have since had two interviews with Baron Van Zuylen, the minister of foreign affairs, on the questions involved and likely to be involved in the case. Mr. Van Zuylen has informed me that his government has received a brief communication from the governor of Curaçoa stating that the vessel in question put into the port of Curaçoa in distress, and was not a privateer.

In the course of our first interview Baron Van Zuylen dropped the remark that it was probable the vessel was regarded as a ship-of-war of the so-called Confederate States, but he subsequently seemed to desire to withdraw the suggestion.

I felt it to be my duty to protest against the idea that aid and countenance could be afforded by a friendly power to the Sumter, though she did assume the character of a ship-of-war of the insurgents. I claimed that were she afforded shelter and supplies on this ground by the authorities at Curaçoa, and should the Dutch government approve the act, it would be, substantially, a recognition of the southern confederacy, and that in my judgment such an act would be regarded by the United States as an unfriendly, and even hostile act, which might lead to the gravest consequences. I held that nothing more need be asked by the so-styled Confederate States, as a practical measure of recognition, than that a ship like the Sumter, claiming to be a national vessel of those States, should be permitted to enter the neighboring ports of foreign nations, and there obtain the necessary means to enable her to depredate upon the commerce of the United States. That such a course on the part of any power, aggravated by the fact that she was unable to obtain such supplies at home, so far from being neutral conduct was really to afford the most efficient aid to the men who were in rebellion against their own government, and plundering and destroying the vessels and property of their fellow citizens on the high seas. I protested against such a doctrine as tending necessarily to the termination of all friendly relations between our government and any government that would tolerate such practices, whether that government were France or England, or Spain or Holland. I remarked that it was not for me to judge of the purposes of European powers in regard to the existing state of things in the United States; but if there were to be exhibited a disposition anywhere to take advantage of our present situation, I believed it would be found that such a course could not be taken with impunity now, nor without leading to alienation and bitterness in the future.

Baron Van Zuylen hereupon explained that the earnest desire of his government was to maintain friendly relations with the United States, and to do nothing to interrupt the existing harmony between the two countries. That the point in question had not been considered by his government, and that the whole case should receive careful attention so soon as the facts relating to it could be ascertained. He has since sent me a note on the subject, which I enclose.

The baron stated to me that the governor of Curaçoa had received the instructions of the Dutch government, and the baron was of the opinion that

the governor had paid too much attention to the letter, overlooking the spirit of the instructions, which remark I took to mean, that as the governor's instructions only ordered the exclusion of privateers and vessels *not* in distress, and that as the Sumter claimed to be a vessel of war, and to be *in* distress, the governor had sought to shield his action under this shallow and transparent device of the privateer, which could certainly deceive nobody who was not willing to be deceived.

I presume there is no danger of the Dutch government taking any position on this question *in haste*, as that is not their way. It is quite probable they will take time to send to Curçaoa for facts and particulars. Meantime the British government seem likely to have to act on the same question, as I see the Sumter has been at Trinidad, which will afford them a precedent, for which I am the more sorry, as I learned enough while I was in England to satisfy me that that government was likely to indulge in loose practices in regard to vessels sailing under the confederate flag.

But there is nothing in the circumstances or dispositions of this government, in my opinion, to induce them to exhibit unfriendliness to us or grant favors to the confederates, whatever there may be on the part of some of their slaveholding governors, of whom I infer him of Curaçoa to be one. I expect therefore to find the authorities here pursue a course void of offence towards the United States, however others may act. I shall make it my endeavor to induce the minister of foreign affairs to have sent out at once such instructions to the West Indies as will prevent the Sumter, or her confederates, from making use of the Dutch ports in future, whatever their pretensions.

Since penning the foregoing, and at the last moment before being compelled to close for the mail, I have had a third interview with Baron Van Zuylen. He states that the instructions sent out in June were framed purposely different from those of France, and excluded all reference to vessels of war, solely because that course was deemed more favorable to the United States government which had ships-of-war and no privateers. You will remember that I called attention to this peculiarity at the time.

In answer to my inquiry whether he would not immediately adapt his instructions to cover such cases as that of the Sumter, information of which I was desirous to transmit by the next steamer, he replied that the subject was now under consideration in the colonial department. He insisted, however, that the governor of Curaçoa declared the vessel was admitted on the ground of her being in distress, she having carried away one of her masts, and that before admitting her he convoked his council, who recommend the course he pursued.

I renewedly represented to Baron Van Zuylen the very grave character of this question and its vital importance to the commerce of the United States.

Since the government here must by this time fully understand that our government is very much in earnest on this subject, I entertain the hope that they will hurry their deliberations to a favorable conclusion.

Allusion having been made on my part to the possible influence of slaveholding sympathies in this case, I was pleased to be informed by Baron Van Zuylen that the question of slavery had been finally determined in Holland, and that emancipation is to take place in all the Dutch colonies within two years.

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Baron Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, September 2, 1861.

SIR: I have the honor to acknowledge the receipt of your communications of the 28th of August and of 2d of September.

I hastened to communicate these notes to the minister of the colonies, and I hope to be enabled at an early day, and so soon as the reports of the Governor of Curaçoa respecting the affair of the steamer "Sumter" shall be known to me, to give you a reply upon this subject.

Be pleased, sir, to accept the renewed assurance of my high consideration.

DE ZUYLEN DE NIJEVELT.

MR. PIKE,

Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 21.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch of August 18, (No. 13,) has been received, and the opinions it expresses seem to be just, while the information it gives is very satisfactory. Treason is apt to mature its energies before it strikes the first blow; on the other hand, loyalty is unapprehensive of danger and usually waits for conviction of the necessity for defence. The course of this domestic civil war illustrates this maxim. The fortunes of the insurrection hang on immediate success and despatch; efforts, therefore, are made to secure it. I feel sure, on the contrary, that the government has been continually gaining strength with every expenditure of vigor it has made. You will be gratified to learn that the paper issued by the government is at par in the market where gold and silver are recognized as the only lawful tender in the payment of debts.

While you will not hold out inducements of rewards or bounties for soldiers, you may say, whenever it shall seem expedient, that any foreigners arriving in this country will probably find no difficulty in finding military employment.

With a high appreciation of your discretion and vigilance, I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extract.]

No. 16.]

LEGATION OF THE UNITED STATES,
The Hague, September 11, 1861.

SIR: Subsequently to the interviews I had with the minister of foreign affairs, of which I spoke in my last, and after the transmission to you of my despatch (No. 15) of the 4th instant, I addressed the following communication to Baron Van Zuylen:

"LEGATION OF THE UNITED STATES,

"The Hague, September 7, 1861.

"SIR: I do not understand this government to have yet distinctly conceded 'belligerent rights' to the self-styled Confederate States.

"In behalf of my government I beg to say that I trust Holland will not take this position now, and open the questions to flow therefrom. By doing so, this government may make an enemy of the United States, through the consequences growing out of that act. But Holland will not thereby make a friend of the rash and misguided men who lead the rebellion against the American government. For their object is to perpetuate and extend African slavery. With this object Holland can have no sympathy. Your government has just now determined to abolish that remnant of barbarism in your colonial possessions.

"The slaveholders' rebellion cannot be successful. The United States has determined it shall not be, and that it will preserve the union of the States at whatever cost.

"But even if we admit, for argument's sake, that some of the slaveholding States should be allowed hereafter to depart from the Union, still would the rebellion be unsuccessful in its objects, and hospitality shown to its progress be unavailing. The United States would be still resolute to defeat the purposes of the rebel slaveholder. They would do this by their own unaided efforts. They might readily co-operate with foreign powers to the same end. Such of those powers as hold possessions in America, wherein slavery has been abolished, would join in this object from motives of justice and humanity, as well as from considerations of policy and consistency. Those who have colonies where the practice still prevails would gladly concur in self-defence. England having abolished slavery, France having put it under her feet, the position of these two great maritime powers on this subject is fixed. The recent action of the French Emperor is conclusive as to the policy of that powerful monarchy. Spain, in her late trespass upon St. Domingo, has been constrained to formally stipulate that she will not reintroduce slavery in that island; Mexico and Central America will be only too eager to enter into stipulations that shall save them from any attempted spoliation, and preserve the condition of freedom from slavery for all their inhabitants now and hereafter. A common civilization throughout the world will look with favor on a common union to crush the offensive purposes of the rebellious slaveholder. His success, therefore, is out of the question. Unless the world is to go backward, and history reverse its lessons, this rebellion in its leading purpose is foredoomed. Even governments cannot save that against which humanity revolts. Surrounded by communities on the north, on the south, on the west, that have expelled slavery; the islands of the Caribbean sea nearly all emancipated from this pestilent system; the fabric of the rebellious slaveholder, which he is so madly ambitious to erect, were even its temporary establishment possible, would soon be washed away by the attrition of surrounding influence upon its crumbling foundations, and its remains left a ruin in the world.

"It is thus neither just nor politic, in any point of view, for the powers of Europe to do anything to encourage this abortive and criminal enterprise of the rebellious American slaveholder. For though they should do ever so much, the effort will be none the less abortive, through the operation of forces that governments cannot control.

"The recognition of 'belligerent rights' to the party in question by England and France was a precipitate and unnecessary act. It was surely time enough to do this when the alternative presented an embarrassing situation.

"The Dutch government has been wiser. In continuing to occupy the position of refusing all countenance to the authors of such a hateful rebel-

lion, the Netherlands will do an act which will be viewed with the liveliest satisfaction by the United States, and, I may be permitted to add, one worthy the traditions of this ancient and renowned state, and will set an example well worthy the respect and consideration of other nations.

"The undersigned, &c., &c."

"Baron VAN ZUYLEN, &c., &c."

On the 9th instant I had an interview with Baron Van Zuylen, again urging him in the most earnest manner to issue such instructions to the Dutch authorities in the West Indies as would peremptorily exclude from their ports every species of craft set afloat by the secessionists.

Baron Van Zuylen appears, and I have no doubt is, very desirous to do all he possibly can, under what he deems the requirements of public law, to carry out the wishes of the United States in this matter. He does not consider that his government has recognized belligerent rights, and desires not to be pressed on that point. I told him we had no desire to press him to do anything, except to issue such instructions to his colonial governors as will effectually exclude the piratical vessels of the secessionists from making use of the Dutch ports.

He asked then if we would consent to have our own ships-of-war excluded. I told him if that was necessary to relieve him from a dilemma, I did not know how far such an act might be tolerated for the sake of an advantage which we could procure in no other way. We might not find fault, if thereby we found our interests advanced. But, of course, I could not undertake to commit my government on the point. I remarked that exclusion would not operate to our disadvantage, inasmuch as we had command of the sea, while it would be fatal to the plunderers, as they had no retreat at home. He intimated that his government contemplated making the proposition to the United States. He also remarked that the course of our own government threw impediments in their way; for while we regarded the secessionists as rebels, we did not seem to treat them as such when taken prisoners, not even their privateers. I concluded the interview by renewedly urging every consideration I could adduce to induce him to issue the desired orders, and to lose no time in doing it.

He will soon make a written communication on the whole subject, which I will forward at the earliest moment after receiving it.

After my interview, I addressed Baron Van Zuylen the following note:

"UNITED STATES LEGATION,
"The Hague, September 9, 1861.

"SIR: Referring to our conversation of to-day, I beg to suggest that what appears to you a practical difficulty may, it seems to me, be properly overcome by your government issuing orders to its colonial authorities to regard *all* armed vessels bearing the so-called confederate flag as *privateers*. They are so in fact, and they should not be allowed to shield themselves under any other pretext. Unless a vessel claiming to be a ship-of-war exhibit some *prima facie* evidence of being such, in her size, and in her other external symbols and aspects, which these piratical craft do not, the proper authorities may well claim the right to decline all investigation of the case, and *assume* her unlawful character.

"The undersigned, &c. &c."

"Baron VAN ZUYLEN."

* * * * *

I have the honor to be, with great respect, your obedient servant,
JAMES S. PIKE.

Hon. WILLIAM H. SEWARD, *Secretary of State*.

Mr. Pike to Mr. Seward.

[Extract.]

No. 17.]

UNITED STATES LEGATION,
The Hague, September 18, 1861.

SIR: The minister of foreign affairs has not yet furnished me with the promised communication on the Sumter case.

On the 12th instant I addressed him the following note:

"SIR: Referring to my recent communications to you on the case of the Sumter, I beg to say, in order to avoid all possibility of cavil or misapprehension, that, in speaking of or alluding to the marauding vessels of the persons in rebellion against the United States government as 'privateers,' I refer to them as such only in the sense of their own pretensions; the United States government, as you are well aware, regarding them solely as piratical craft, and the persons engaged thereon as pirates.

"I have the honor to be, &c., &c.

"BARON VAN ZUYLEN, &c., &c."

* * * * *

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 22.]

DEPARTMENT OF STATE,
Washington, September 23, 1861.

SIR: Your despatch of August 28, No. 14, has been received. We await with some interest the explanations of the government of the Netherlands concerning the affair at Curaçoa, but at the same time with very great confidence that it will be conformable to the good and friendly relations existing between the two countries.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c..

Mr. Pike to Mr. Seward.

[Extracts.]

No. 18.]

UNITED STATES LEGATION,
The Hague, September 25, 1861.

SIR: I have the honor to enclose the communication from the Dutch government in reference to the Sumter case. Though dated the 17th, it did not make its appearance to me till the 20th.

You will perceive that the ground taken in regard to the harboring of the Sumter in the port of Curaçoa is, that it was the case of a vessel in distress.

This paper, however, goes beyond the case in hand, and argues the claim of the seceding States to be considered belligerents, and their rights as such, besides going over the whole ground of the rights of neutrals.

Baron Van Zuylen makes out to his own satisfaction that the secessionists hold that position, and that this carries with it the right of hospitality, in neutral ports, to their ships-of-war.

To my suggestion in my note of the 9th, that the Sumter was in no just sense a ship-of-war, but a privateer, or, as our government claims, a pirate, and that the want of the ordinary characteristics of a ship-of-war, besides the fact that she bore a strange flag of no recognized nationality, entitled us to ask of Holland, as a friendly nation, to *assume* her unlawful character. Mr. Van Zuylen opposes an argument to show that the Sumter was really a ship-of-war of the Confederate States, and that an impartial neutrality demanded that she be so treated. He finds his support of his position that this was the Sumter's real character in the declarations of her captain and in the allegation of *Harpers' Weekly*.

The minister of foreign affairs seems to admit the force of the argument I had previously urged, that it was inconsistent with all ideas of a just neutrality that these marauding vessels of the secessionists could be allowed to make free use of the neighboring ports of a power holding friendly relations with the United States, for hostile purposes, and this, too, while deprived of all shelter or resource at home. And, in reply to my earnest request that he would cause to be issued to the Dutch colonial authorities in the West Indies orders against such use of their ports, Baron Nan Zuylen de Nijvelt declares, under cover of his general principles, that orders shall be issued in the sense of forbidding the use of the Dutch ports as the base of operations against United States commerce, or, as he phrases it, by either of the belligerents.

In regard to this part of Mr. Van Zuylen's communication, I will here observe that much will depend upon the character of these instructions, and not less upon the spirit in which they are executed. It is in the power of the Dutch government, and of its colonial authorities, to so act, upon the basis of the rule laid down on this head, as to avoid further cause of complaint on the part of the United States, and to effectually prevent these sea robbers from making use of the Dutch ports as a means of pursuing their ravages; and I have so expressed myself to Baron Van Zuylen in the note of which I have the honor to annex a copy. I will add that I have confidence that such orders will be given.

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The following is a copy of my note to Mr. Van Zuylen:

"UNITED STATES LEGATION,
The Hague, September 23, 1861.

"SIR: I have had the honor to receive your communication of the 17th instant, which will, in due time, receive that attention its importance merits.

"Meantime I desire to observe that, as must have been obvious to you, I have hitherto contented myself with advancing general considerations appealing to the friendly dispositions of Holland, rather than in invoking the application of the strict rules of public law to the case under review.

"The Dutch government exercises its undoubted right in overlooking such considerations, and in assuming the championship of a so-called neutrality, which insists upon treating a domestic disturbance as a war between equals.

"For those who so desire, as I am sure Holland does not, it is easy to be persuaded of an incipient nationality in an insurrection, and to see a ship-of-war in every pirate that insults mankind with her depredations or shocks it with her crimes.

"I have great satisfaction in learning from his communication that Baron Van Zuylen recognizes the force of the considerations I have had the honor

to present to him touching the evident violation of a just neutrality which is involved in the free use of the ports of the Netherlands by the cruisers of persons engaged in piratical depredations upon the commerce and shipping of the United States, and also in learning that the government of his Majesty has determined that it will not permit its ports to be made the base of operations against that commerce, and that instructions in this sense will be addressed to the governors of the Netherlands colonial possessions.

"It is in the power of the Dutch government, acting upon the rule it has thus laid down, to issue such instructions to its colonial authorities as shall prevent further cause of complaint on the part of the United States, if those instructions shall be executed in good faith.

"The United States government will rely upon the action of Holland in this respect, and will still confidently look for such a course on the part of the Dutch government as will aid it in driving the instigators of rebellion and plunderers of property upon the high seas from the haunts they infest, and in bringing them to condign punishment.

"I have the honor, &c., &c.

"JAMES S. PIKE.

"Baron VAN ZUYLEN, &c., &c."

To-day I have addressed Baron Van Zuylen the following note:

"UNITED STATES LEGATION,

"*The Hague, September 25, 1861.*"

"SIR: I shall to-day forward your communication of the 17th instant to my government. I do it with reluctance, since its basis is found, as I have already remarked to you, in the assumption of the government of the Netherlands that the domestic disturbance in the United States is a war between equals.

"It cannot be supposed that the United States will consent to debate the question of an abridgment of their sovereignty with Holland or any other nation.

"The United States are one whole undivided nation, especially so far as foreign nations are concerned, and Holland is, by the law of nations and by treaties, not a neutral power between two imaginary parties there, but a friend of the United States. There is in the United States, as there has always been since the establishment of the government, one political power, namely, the United States of America, competent to make war and peace, and conduct alliances and commerce with foreign nations. There is none other, either in fact, or recognized by foreign nations. There is, indeed, an armed sedition seeking to overthrow the government, and the government is employing military and naval force to suppress it. But these facts do not constitute a war presenting two belligerent powers, and modifying the national character, rights, and responsibilities, or the character, rights, and responsibilities of foreign nations.

"That Holland should take a different view of the case will, I am sure, be a subject of very deep regret to the United States.

"The undersigned, &c., &c.

"JAMES S. PIKE.

"Baron VAN ZUYLEN, &c., &c."

* * * * *

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WM. H. SEWARD,

Secretary of State, Washington, D. C.

Baron Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, September 17, 1861.

SIR: The department of the colonies has just communicated to me the information, transmitted by the governor of Curaçoa, concerning the affair of the ship "Sumter," and I hasten to bring to your notice the following observations, by way of sequence to the preliminary reply which I had the honor to address to you on the 2d of this month. According to the principles of the law of nations, all nations without exception may admit vessels of war belonging to a belligerent State to their ports, and accord to them all the favors which constitute an asylum. Conditions are imposed on said vessels during their stay in the port or roadstead. For example, they must keep perfect peace with all vessels that may be there; they may not augment their crews, nor the number of their guns, nor be on the lookout in the ports or roadsteads for the purpose of watching after hostile vessels arriving or departing, &c. Besides, every state has the right to interdict foreign vessels of war from entrance to ports which are purely military. Thus it was that Sweden and Denmark, in 1854, at the time of the Crimean war, reserved the right to exclude vessels of war from such or such ports of their dominions.

The neutral power has also the right to act like France, who, by her declaration of neutrality in the war between the United States and the Confederate States, under date of 9th June last, (*Moniteur* of 11th June,) does not permit any vessel of war, or privateer, of one or the other of the belligerents, to enter and remain with their prizes in French ports longer than twenty-four hours, unless in case of refuge under stress.

In the proclamation of the month of June last, which was communicated to you with my despatch of the 13th, the government of the Netherlands has not excluded vessels of war from her ports.

As to privateers, the greatest number of the maritime nations allows them the privilege of asylum upon the same conditions nearly as to vessels of war.

According to a highly-esteemed author on the law of nations, (*Hautefeuille, Droits et Devoirs des Nations Neutres*, I, p. 139,) privateers may claim entrance into the ports of nations which have consented to accord asylum to them, not only in cases of pressing dangers, but even in cases in which they may deem it advantageous, or even only agreeable, and for obtaining rest or articles of secondary necessity, such as the refreshments they may have need of.

The terms of the proclamation of the Netherlands government, which admits privateers into Netherlands ports only in cases of distress, harmonize with this doctrine.

Moreover, according to the information received from the governor of Curaçoa, the "Sumter" was actually in distress, and that functionary could not, therefore, refuse to allow the said vessel to enter the port.

Strong in its amicable intentions, the King's government does not believe itself bound to confine itself to the defence of the conduct of one of its agents in the particular case under discussion. It is not ignorant that it can or may hereafter be a contested question in such cases as to the reality of the distress in which such vessel or other would be, and that thus the subject of the admission generally of the Confederate States vessels would rest untouched. I, therefore, sir, think it opportune to look into the ques-

tion to determine whether the Sumter should have been admitted at Curaçoa outside of the condition of well-assured distress.

It is evident that the reply to be made is dependent on another question—that is to say, was this vessel a man-of-war or a privateer?

In the latter case, the Netherlands government could not, except in case of a putting in compelled by distress, (*relâche forcée*), admit the Sumter into the ports of its territories.

It is not sufficient to dispose of the difficulty by the declaration that the Sumter is, as is stated in your despatches, "a vessel fitted out for, and actually engaged in, piratical expeditions," or "a privateer steamer." Such an assertion should be clearly proved, in accordance with the rule of law, "*affirmanti incumbit probatio*."

After having poised, with all the attention which comports with the weightiness of the matter, the facts and circumstances which characterize the dissensions which now are laying desolate the United States, and of which no government more desires the prompt termination than does that of the Netherlands, I think I may express the conviction that the Sumter is not a privateer, but a man-of-war—grounding myself on the following considerations:

In the first place, the declaration of the commander of the vessel given in writing to the governor of Curaçoa, who had made known that he would not allow a privateer to come into the port, and had then demanded explanations as to the character of the vessel. This declaration purported "the Sumter is a ship-of-war duly commissioned by the government of the Confederate States."

The Netherlands governor had to be contented with the word of the commander couched in writing. Mr. Ortolan, (*Diplomatie de la Mer*, I, p. 217,) in speaking of the evidence of nationality of vessels of war, thus expresses himself:

"The flag and the pennant are visible indications, but we are not bound to give faith to them until they are sustained by a cannon shot."

The attestation of the commander may be exigible, but other proofs must be presumed; and, whether on the high seas or elsewhere, no foreign power has the right to obtain the exhibition of them.

Therefore the colonial council has unanimously concluded that the word of the commanding officer was sufficient.

In the second place, the vessel armed for war by *private persons* is called "privateer." The character of such vessel is settled precisely, and, like her English name, (privateer,) indicates sufficiently under this circumstance that she is a *private* armed vessel—name which Mr. Wheaton gives them.—(*Elements of International Law*, II, p. 19.)

Privateering is the maritime warfare which privateers are authorized to make, *for their own account*, against merchant vessels of the enemy by virtue of letters of marque which are issued to them by the State.

The Sumter is not a private vessel; is not the private property of unconnected individuals—of private ship-owners. She, therefore, cannot be a privateer; she can only be a ship-of-war or ship of the State armed for cruising. Thus the Sumter is designated, in the extract annexed from "Harpers' Weekly," under the name of "rebel ship-of-war."

Thirdly. It cannot be held, as you propose in your despatch of the 9th of this month, that all vessels carrying the confederate flag are, without distinction, to be considered as privateers, because the principles of the law of nations, as well as the examples of history, require that the rights of war be accorded to those States.

The government of the United States holds that it should consider the States of the south as rebels.

It does not pertain to the King's government to pronounce upon the subject of a question which is entirely within the domain of the internal regulation of the United States; neither has it to inquire whether, in virtue of the Constitution which rules that republic, the States of the south can separate from the central government, and whether they ought then, aye or no, to be reputed as rebels during the first period of the difficulties.

But I deem it my duty to observe to you, sir, that, according to the doctrines of the best publicists, such as Vattel, III, c. 18, § 292, and Mr. de Rayneval, *Droit de la Nation et des Gens*, I, p. 161, there is a notable difference between rebellion and civil war. "When," says Vattel, "a party is formed in the state, which no longer obeys its sovereign, and is strong enough to make head against him, or in a republic, when the nation divides into two opposing parties, and on one side and the other take up arms, then it is civil war." It is, therefore, the latter which now agitates the great American republic.

But, in this case, the rights of war must be accorded to the two parties.

Let me be allowed to cite here only two passages; the one from Vattel, (II, c. 4, § 56,) which reads: "Whenever affairs reach to civil war the ties of political association are broken, or at least suspended, between the sovereign and his people. They may be considered as two distinct powers; and, since one and the other are independent of any foreign authority, no one has the right to judge between them. Each of them may be right. It follows, then, that the two parties may act as having equal right." The other passage is taken from the work of a former minister, himself belonging to the United States, Mr. Wheaton, who, in his *Elements of International Law*, c. I, p. 35, (Am. ed., part 1, p. 32,) thus expresses himself: "If the foreign state would observe absolute neutrality in the face of dissensions which disturb another state, it must accord to both belligerent parties all the rights which war accords to public enemies, such as the right of blockade, and the right of intercepting merchandise contraband of war."

As for historic evidence, it will suffice to call to mind from ancient times the struggle of the United Provinces with Spain, and from modern date the war between the Hispano-American colonies and the mother country since 1810, the war of independence of Greece from Turkey since 1821, &c.

It will doubtless be useless to recollect, on this occasion, that the principle to see only insurgents in the States of the south, having neither sovereignty nor rights of war, nor of peace, was put forward by England, at the breaking out of the war of independence of the Anglo-American colonies, in the vindictory memoir published by the British court in 1778 in answer to the exposition of the motives for the conduct of France, which had lately signed, on the 6th day of February of that year, a treaty with the United States, in which they were regarded as an independent nation.

But the court of Versailles set out from other principles, which she developed in "Observations on the Vindictory Memoir of the Court of London," saying, among other things: "It is sufficient to the justification of his Majesty that the colonies had established their independence not merely by a solemn declaration, but also in fact, and had maintained it against the efforts of the mother country."

Existing circumstances seem to present the same characteristics; and if it is desired to treat the States of the south as rebels, and accuse them of felony, there might here be cited as applicable to the actual conduct of the United States towards the confederates the following remark of the court of Versailles: "In advancing this proposition, (that the possession of independence, of which the French cabinet said the Americans were in the enjoyment in 1778, was a veritable felony,) the English minister had, without doubt, forgotten the course he had himself taken towards the Americans

from the publication of the declaration of independence. It is remembered that the creatures of the court constantly called upon the rebellion vengeance and destruction. However, notwithstanding all their clamors, the English minister abstained, after the declaration of independence, from prosecuting the Americans as rebels; he observed, and still observes towards them, the rules of war usual among independent nations. American prisoners have been exchanged through cartels," &c.

The rights of war cannot, then, in the opinion of the King's government, be refused to the Confederate States; but I hasten to add that the recognition of these rights does not import in favor of such States recognition of their sovereignty.

"Foreign nations," says Mr. Martens, (*Précis du Droit des Gens*, l. VIII, c. 3, § 264,) "cannot refuse to consider as lawful enemies those who are empowered by their actual government, whatever that may be. *This is not recognition of its legitimacy.*"

This last recognition can only spring from express and official declaration, which no one of the cabinets of Europe has thus far made.

Finally, and in the last place, I permit myself here to cite the example of the American privateer Paul Jones.

This vessel, considered as a pirate by England, had captured two of his Britannic Majesty's ships in October, 1779. She took them into the Texel, and remained there more than two months, notwithstanding the representations of Mr. York, ambassador of Great Britain at the Hague, who considered the asylum accorded to such privateer (pirate as he called it in his memoir to the states general of 21st March, 1780) as directly contrary to treaties, and even to the ordinances of the government of the republic.

Mr. York demanded that the English vessels should be released.

The states general refused the restitution of the prizes.

The United States, whose belligerent rights were not recognized by England, enjoyed at that period the same treatment in the ports of the republic of the United Provinces as the Netherlands authorities have now accorded to the Confederate States.

If the cabinet of the Hague cannot, therefore, by force of the preceding, class all the vessels of the Confederate States armed for war in the category of privateers, much less can it treat them as pirates, (as you call them in your despatch of the 12th of this month,) or consider the Sumter as engaged in a filibustering expedition—"engaged in a piratical expedition against the commerce of the United States"—as it reads in your communication of the 2d of September.

Here again historic antecedents militate in favor of the opinion of the Netherlands government.

Is there need, in fact, to remind you that at the outset of the war of American independence, in 1778, the English refused to recognize American privateers as lawful enemies, under the pretence that the letters of marque which they bore did not emanate from the sovereign, but from revolted subjects?

But Great Britain soon had to desist from this pretension, and to accord international treatment to the colonists in arms against the mother country.

The frankness with which the King's government has expressed its convictions in relation to the course to be taken towards the States of the south will, without doubt, be estimated at its just value by the government of the United States.

It will perceive therein the well-settled intention to preserve in safety the rights of neutrality; to lay down for itself and to follow a line of conduct equally distant from feebleness as from too great adventurousness, but suitable for maintaining intact the dignity of the state.

The government of the Netherlands desires to observe, on the occasion of

existing affairs in America, a perfect and absolute neutrality, and to abstain therefore from the slightest act of partiality.

According to Hubner, (*Saisie de Bâtiments Neutres*,) "neutrality consists in absolute inaction relative to war, and in exact and perfect impartiality manifested by facts in regard to the belligerents, as far as this impartiality has relation to the war, and to the direct and immediate measures for its prosecution."

"Neutrality," says Azuni, (*Droits Maritimes*), "is the continuation in a state of peace of a power which, when war is kindled between two or more nations, absolutely abstains from taking any part in the contest."

But if the proposition be admitted that all the vessels of the Confederate States armed for war should be considered *prima facie* as privateers, would there not be a flagrant inequality between the treatment and the favors accorded to vessels of war of the United States and the vessels of the Confederate States, which have not for the moment a navy properly so called?

This evidently would be giving proof of partiality incompatible with real duties of neutrality. The only question is to determine with exactitude the distinctive characteristics between a privateer and a ship-of-war, although this may be difficult of execution. Thus is ignored that which Count Reventlon, envoy of the King of Denmark at Madrid, drew attention to in 1782, that there exists among the maritime powers regulations or conventions between sovereigns, which oblige them to equip their vessels in a certain manner, that they may be held veritably armed for war.

You express also, in your despatch of September 2, the hope that the Netherlands government will do justice to your reclamation, grounding yourself on the tenor of treaties existing between the Netherlands and the United States, on the principles of the law of nations, and, finally, upon the assurances you have received from the King's government.

Amidst all the European powers there are few who have better defended the rights of neutrals, and have suffered more in this noble cause than Denmark; and one of her greatest statesmen of the close of the last century, Count Bernstorff, has been able to declare with justice, in his memoir of July 28, 1793, a document that will long continue to be celebrated: "A neutral power fulfils all its duties by never departing from the most strict impartiality, nor from the avowed meaning of its treaties."

I have endeavored, sir, to show, in what precedes, that the government of the Netherlands has fulfilled conscientiously its first duty, and will adhere faithfully thereto.

The cabinet of the Hague does not observe and will not observe less religiously the tenor of treaties.

The treaty of the 19th of January, 1839, and the additional convention of the 26th of August, 1852, only relate to commerce and navigation; the only treaties that can be invoked in the present case are those of the 8th of October, 1782.

I do not think it my duty to enter here upon a discussion of principles on the question of deciding whether these treaties can still be considered as actually in force, and I will not take advantage of the circumstance that the cabinet of Washington has implicitly recognized, by the very reclamation which is the object of your despatches, that the treaties of 1782 cannot any longer be invoked as the basis of international relations between the Netherlands and the United States.

I will only take the liberty of observing to you, sir, that the execution of the stipulations included in those diplomatic acts would be far, in the present circumstances, from being favorable to the government of the republic.

In fact, we should, in this case, admit to our ports privateers with their

prizes, which could even be sold there by virtue of article 5 of the before-cited convention of 1782, on rescues.

It would, perhaps, be objected that the treaty of 1782, having been concluded with the United States of America, could not be invoked by a part of the Union which had seceded from the central government, and I do not dissent from the opinion that this thorny question of public law would give rise, should the case occur, to very serious difficulties.

But we cannot lose sight of the fact that the treaty spoken of was concluded, even before the recognition of the United States by England in 1783, with the oldest members of the republic, among others, to wit, with Virginia, North Carolina, South Carolina, and Georgia, and that those States actually figure among the secessionists.

In 1782 the republic of North America was only a simple confederation of states, remaining sovereign, united only for common defence, (*Staatenbund*) and it is only since the establishment of the Constitution, of the 17th of September, 1787, that the pact which binds together the United States received the character which is attributed to it by Mr. Wheaton, also, (*Elements of International Law*), of a perfect union between all the members as one people under one government, federal and supreme, (*Bundestaat*), "a commonwealth," according to Mr. Motley in his pamphlet "*Causes of the Civil War in America*," p. 71.

In view of this fundamental difference between the present character of the government of the United States and that of the party contracting the treaty of 1782, it would be difficult to refuse in equity the privilege of the secessionist States to avail themselves of it.

It will, therefore, not escape your penetration that it is preferable, as well for the Netherlands as for the cabinet of Washington, to leave the treaty above mentioned at rest, and that, in excluding privateers from its ports the government of the Netherlands has acted only in the interests of the government of the United States, to which it is bound by feelings of a friendship which dates even from the time of the existence of the republic of the united provinces, and which the King's government will make every effort to maintain and consolidate more and more.

According to the law of nations, the cases in which the neutrality of a power is more advantageous to one party than to the other do not affect or impair it; it suffices that the neutrality be perfect and strictly observed. The government of the Netherlands has not departed from it, therefore, in denying admission to the ports of his Majesty's territories to privateers, although at first glance this determination is unfavorable to the southern States.

The difficulties which have actually arisen, and which may be renewed hereafter, the desire to avoid as much as possible everything that could compromise the good understanding between the governments of the United States and the Netherlands, impose on the last the obligation to examine with scrupulous attention if the maintenance of the general principles which I have had the honor to develop might not in some particular cases impair the attitude of neutrality which the cabinet of the Hague desires to observe. If, for example, we had room to believe that the *Sumter*, or any other vessel of one of the two belligerent parties, sought to make of Curaçoa, or any other port in his Majesty's dominions, the base of operations against the commerce of the adverse party, the government of the Netherlands would be the first to perceive that such acts would be a real infraction, not merely of the neutrality we wish to observe, but also of the right of sovereignty over the territorial seas of the state; the duty of a neutral state being to take care that vessels of the belligerent parties commit no acts of hostility

within the limits of its territory, and do not keep watch in the ports of its dominion to course from them after vessels of the adverse party.

Instructions on this point will be addressed to the governors of the Netherlands colonial possessions.

I flatter myself that the preceding explanations will suffice to convince the federal government of the unchangeable desire of that of the Netherlands to maintain a strict neutrality, and will cause the disappearance of the slightest trace of misunderstanding between the cabinets of the Hague and of Washington.

Accept, sir, the renewed assurance of my high consideration.

DE ZUYLEN DE NIJVELT.

Mr. PIKE, *Minister Resident of the United States of America.*

Mr. Seward to Mr. Pike.

No. 23.]

DEPARTMENT OF STATE,
Washington, September 28, 1861.

SIR: By some accident our foreign mail missed the steamer. It is only just now that I have received your despatch of September 4, (No. 15.) The proceeding at Curaçoa in regard to the Sumter was so extraordinary, and so entirely contrary to what this government had expected from that of Holland, that I lose no time in instructing you to urge the consideration of the subject with as much earnestness as possible. I cannot believe that that government will hesitate to disavow the conduct of the authorities if they have been correctly reported to this department.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 24.]

DEPARTMENT OF STATE,
Washington, October 4, 1861.

SIR: I am just now informed by a despatch from Henry Sawyer, esq., our consul at Paramaribo, that on the 19th day of August last the piratical steamer "Sumter" entered that port, and was allowed by the authorities there to approach the town and to purchase and receive coals, to stay during her pleasure, and to retire unmolested, all of which was done in opposition to the remonstrances of the consul.

You will lose no time in soliciting the attention of his Majesty's government to this violation of the rights of the United States. They will be well aware that it is the second instance of the same kind that has occurred in regard to the same vessel in Dutch colonies in the West Indies.

It is some relief of the sense of injury which we feel that we do not certainly know that the authorities who have permitted these wrongs had received instructions from their home government in regard to the rights of the United States in the present emergency. We therefore hope for satisfactory explanations. But, in any case, you will inform that government that the United States will expect them to visit those authorities with a censure so unreserved as will prevent the repetition of such injuries hereafter.

An early resolution of the subject is imperatively necessary, in order that this government may determine what is required for the protection of its national rights in the Dutch American forts.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

No. 20.]

UNITED STATES LEGATION,
The Hague, October 9, 1861.

SIR: Since my last (under date of October 2) I have received a letter from the United States consul at Paramaribo, of which the following is a copy:

"UNITED STATES CONSULATE,
Port of Paramaribo, September 4, 1861.

"SIR: I have the honor (but with chagrin) to inform you that the rebel steamer Sumter arrived at this port on the 19th of August, and left on the 31st, having been allowed to coal and refit. I used my best endeavors to prevent it without avail.

"I am, &c.,

"HENRY SAWYER."

Immediately on the receipt of it I addressed the following note to the minister of foreign affairs.

"THE HAGUE, *October 8, 1861.*

"SIR: I have just received a communication from the American consul at Paramaribo under date of the 4th of September last, which I lose no time in laying before your excellency.

"The consul states."

[See above.]

"The reappearance of the Sumter in a port of the Netherlands, after so brief an interval, seems to disclose a deliberate purpose on the part of the persons engaged in rebellion against the United States government to practice upon the presumed indifference, the expected favor, or the fancied weakness of the Dutch government.

"During a period of forty-six days, during which we have heard of this piratical vessel in the West Indies, it would appear that she had been twice entertained and supplied at Dutch ports, and spent eighteen days under their shelter.

"This can be no accidental circumstance.

"In the multitude of harbors with which the West India seas abound, the Sumter has had no occasion to confine her visits so entirely to the ports of one nation, especially one so scantily supplied with them as Holland. And the fact that she does so is, in my judgment, not fairly susceptible of any other interpretation than the one I have given.

"I feel convinced that the government of the Netherlands will see in this repeated visit of the Sumter (this time, it appears, without any pretext) a distinct violation of its neutrality according to its own views, as laid down

in your excellency's communication to me of the 17th of September last, and a case which will call for the energetic assertion of its purpose expressed in the paper referred to, namely, not to allow its ports to be made the base of hostile operations against the United States. For that the Sumter is clearly making such use of the Dutch ports would seem to admit of no controversy.

"In view of the existing state of the correspondence between the United States and the Netherlands on the general subject to which this case belongs, and of the questions and relations involved therein, I shall be excused for the brevity of this communication upon a topic of so much importance and so provocative of comment.

"The undersigned avails himself," &c., &c.

I called to-day upon Baron Von Zuylen, but he was absent, and I shall not therefore be able to see him again before the close of the mail which takes this. And I do not know that an interview would in any way affect the existing state of things or give me any new information. This government's intentions are good; and it desires to avoid all difficulty with the United States, and with everybody else.

As I stated in my despatch of the 25th September, I have confidence that orders have been given that will impede the operations of these vessels in Dutch ports hereafter, and probably drive them elsewhere.

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 25.]

DEPARTMENT OF STATE,
Washington, October 10, 1861.

SIR: Your despatch of September 18 (No. 17) has been received.

The delay of the government of the Netherlands in disposing of the unpleasant questions which have arisen concerning the American pirates in the colonies of that country is a subject of deep concern; and you are instructed, if you find it necessary, to use such urgency as may be effectual to obtain the definitive decision of that government thereon so early that it may be considered by the President before the meeting of Congress in December next.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 22.]

UNITED STATES LEGATION,
The Hague, October 12, 1861.

SIR: After reflection, upon the reappearance of the Sumter, and her prolonged stay in the port of Paramaribo, (this time apparently without pretext of any kind,) I have felt, in view of the position taken by the Dutch

government in their communication to me of the 17th of September, that we were entitled to be specially informed of the precise interpretation which this government puts upon their general declaration in the communication referred to, namely, that it will not permit its ports to be made the base of hostile operations against the United States commerce.

I have accordingly made the direct inquiry of Baron Van Zuylen, without waiting to hear what you have to say in response to that communication. In reply to my inquiry, Baron Van Zuylen has informed me that, previous to his receiving information of the appearance of the Sumter at Paramaribo, orders were issued by the department of the colonies, instructing the colonial authorities not to permit the repetition of the visits of the Sumter, and other vessels of the so-called Confederate States; and if they did make their appearance in Dutch ports, to require them to leave within twenty-four hours, under penalty of being held to occupy a hostile attitude towards the government of the Netherlands. And further, that those authorities have also been instructed to forbid the furnishing of such vessels with more than twenty-four hours supply of fuel. These instructions, thus defined, are to the point. Whether they have been made general, and with that disregard of distinctions between the rights of mere belligerents and those of recognized nationalities, enjoying pacific relations and acting under treaties of amity and friendship, that mark the communication to which I have adverted, I did not deem it pertinent to inquire, nor do I consider the inquiry of any value as regards the practical bearings of this case.

In compliance with my request, Baron Van Zuylen has promised to furnish me with a copy of the order referred to, which, when received, I shall transmit to you without delay.

Although this order, as thus described to me by Mr. Van Zuylen, only sustains the expectations I have expressed to you on two former occasions as to what the action of this government would be, yet, considering the present attitude of the question, it is a matter of some surprise to me that a copy of it should not have been tendered without waiting to have it asked for.

* * * * *

Taking it to be as herein described, I do not see that the position of this government, so far as its action is concerned, is amenable to very grave censure, whatever may be said of its theoretic views, since the Dutch ports are now, substantially, shut to the vessels. The restriction in regard to supplying fuel, if adopted by other powers holding colonies in the West Indies, will put an end to rebel operations by steam in those seas.

I take some gratification in reflecting that my persistent appeals to the government to issue specific orders, on some ground, to their colonial authorities, looking to the exclusion of the piratical vessels of the seceding States from the Dutch ports, have not been wholly unavailing. That the government has argued against it, and declined acting on any suggestion I could make, is of small consequence, so long as they have found out a way of their own of doing the thing that was needed.

Baron Van Zuylen has renewedly expressed great regret that any questions should have arisen between the two governments.

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pike to Mr. Seward.

No. 23.]

UNITED STATES LEGATION,
The Hague, October 16, 1861.

SIR: I have the honor to enclose you the reply of the minister of foreign affairs to the communication I addressed to him on the 8th instant, in regard to the reappearance of the *Sumter* at Paramaribo. He states therein the character of the orders which have been sent to the colonial authorities, to which I referred in my last despatch, of October 12, (No. 22.)

The British minister here, Sir Andrew Buchanan, expressed incredulity and surprise when I informed him this government had issued the order in question. He declared the British government would not do it, and that the United States would not under similar circumstances. He said it was giving us an advantage, and was not therefore neutral conduct. He added that Russia asked Sweden to close her ports against both belligerents during the Crimean war, and England would not permit it, alleging that as Russia did not want to use them, and England did, it gave the former an advantage to which that power was not entitled. The British government held that Sweden, as a neutral, had no right to alter the natural situation unless it operated equally.

You see herein how thoroughly English officials (and it seems to me all others) are imbued with the idea that the rights of a mere belligerent are the same as the rights of a nation, in cases like the one under consideration.

I have received to-day a letter from our consul at Paramaribo, dated September 20, in which he says the United States steamer *Powhatan* arrived there on the 14th in search of the *Sumter*, and left for Brazil the same day; also that the *Keystone State* arrived on the 18th on the same errand, and left on the 19th for the West India islands.

Your despatch of the 28th of September, acknowledging receipt of mine of the 4th, has arrived. As you make no mention of mine of the 11th, it would seem another mail has missed. I wrote our despatch agent at London on the subject several days ago.

He replies that my despatch of the 4th of September went on the 7th, and that of the 11th on the 14th, which was in regular order.

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Baron Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, October 15, 1861.

SIR: By your despatch of the 8th of this month you have fixed my attention on the arrival of the "*Sumter*" at Paramaribo, and you complain that on this occasion the said vessel was admitted into ports of the Netherlands during eighteen days out of the forty-six in which the *Sumter* had shown herself in the West Indian seas.

You suppose that this is not a fortuitous case, and you demand that the government of the Netherlands, in accordance with the intentions mentioned at the close of my communication of the 17th September last, may not per-

mit its ports to serve as stations or as base of hostile operations against the United States.

You have not deemed it your duty to enter for the moment on the discussion of the arguments contained in my above-mentioned communication, but you say that you wish to await preliminarily the reply of the cabinet at Washington.

I may, therefore, on my part, confine myself for the moment to referring, as to what regards the admission in general of the Sumter into the ports of the Netherlands and the character of this vessel, to the arguments contained in my communication of the 17th September, from which it follows, that if we do not choose to consider *prima facie* all the ships of the seceding States as privateers, and if, in the present case, the Sumter could not be, in the opinion of the government of the Netherlands, comprised among such, entrance to the ports of the Netherlands cannot be prohibited to that vessel without a departure from neutrality and from the express terms of the proclamation of the royal government.

It has already been observed that the latter, in forbidding access to the ports of the Netherlands to privateers, favors the United States much more, among others, than the declaration of the 10th of June by the French government, which, not permitting any vessel-of-war or privateer of the one or the other of the belligerents to sojourn *with prizes* in the ports of the empire for longer time than twenty-four hours, except in case of shelter through stress, (*relâche forcée*,) admits them without distinction when they do not bring prizes with them. But, without entering here into useless developments, I think I may observe to you, sir, that the royal government, whilst refusing to treat as pirates, or even to consider as privateers, all the vessels of the southern States, has striven, as much as the duties of strict neutrality permit, to keep the Sumter away from our ports. When this vessel arrived at Paramaribo, the commanders of two ships of the French imperial marine, which were there at the time, declared to the governor of Surinam that the Sumter was a regular vessel-of-war and not a privateer. The commander of the Sumter exhibited afterwards, to the same functionary, his commission as commandant in a regular navy.

Although there was no reason, under such circumstances, to refuse to the Sumter the enjoyment of the law of hospitality in all its extent, the governor, before referred to, strove to limit it as much as possible. Thus, although pit coal is not reputed contraband, if not at most, and within a recent time only, contraband by accident, it was not supplied to the Sumter except in the very restricted quantity of 125 tons, at the most sufficient for four days' progress.

However, the government of the Netherlands, wishing to give a fresh proof of its desire [to avoid] all that could give the slightest subject for complaint to the United States, has just sent instructions to the colonial authorities, enjoining them not to admit, except in case of shelter from stress, (*relâche forcée*,) the vessels-of-war and privateers of the two belligerent parties, unless for twice twenty-four hours, and not to permit them, when they are steamers, to provide themselves with a quantity of coal more than sufficient for a run of twenty-four hours.

It is needless to add that the cabinet of the Hague will not depart from the principles mentioned at the close of my reply of the 17th September, of which you demand the application; it does know and will know how to act in conformity with the obligations of impartiality and of neutrality, without losing sight of the care for its own dignity.

Called by the confidence of the King to maintain that dignity, to defend the rights of the Crown, and to direct the relations of the state with foreign powers, I know not how to conceal from you, sir, that certain expressions in

your communications above mentioned, of the 23d and 25th September last, have caused an unpleasant impression on the King's government, and do not appear to me to correspond with the manner in which I have striven to treat the question now under discussion, or with the desire which actuates the government of the Netherlands to seek for a solution perfectly in harmony with its sentiments of friendship towards the United States, and with the observance of treaties.

The feeling of distrust which seems to have dictated your last despatch of the 8th of this month, and which shows itself especially in some entirely erroneous appreciations of the conduct of the government of the Netherlands, gives to the last, strong in its good faith and in its friendly intentions, just cause for astonishment. So, then, the cabinet of which I have the honor to form part deems that it may dispense with undertaking a justification useless to all who examine impartially and without passion the events which have taken place.

The news which has reached me from the royal legations at London and at Washington, relative to the conduct of the British government in the affair of the Sumter, can only corroborate the views developed in my reply of 17th September last, and in the present communication.

It results from this, in effect, that not only has the British government treated the Sumter exactly as was done at Curaçoa, since that vessel sojourned six or seven days at the island of Trinidad, where she was received amicably and considered as a vessel-of-war, but that the crown lawyers of England, having been consulted on the matter, have unanimously declared that the conduct of the governor of that colony of England had been in all points in conformity with the Queen's proclamation of neutrality.

According to them the Sumter was not a privateer but a regular vessel-of-war, (duly commissioned,) belonging to a state possessing the rights of war, (belligerent rights.)

The Sumter, then, has been treated as a vessel-of-war of the United States would have been, and that vessel had the same right to obtain supplies at Trinidad as any vessel belonging to the navy of the northern States.

Accept, sir, the fresh assurance of my high consideration.

DE ZUYLEN DE NIJEVELT.

Mr. PIKE,

Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 26.]

DEPARTMENT OF STATE,

Washington, October 17, 1861.

SIR: Your despatch of the 25th of September, No. 18, has been received. It is accompanied by a note which was addressed to you by Baron Van Zuylen, on the 17th day of September last, on the subject of the admission of the pirate steamer Sumter into the port of Curaçoa.

I reproduce the account of that transaction, which was made by this government a subject of complaint to the government of the Netherlands. The steamer Sumter hove in sight of the port of Curaçoa on the evening of the 15th of July, and fired a gun for the pilot, who immediately took to sea. On his reaching the pirate vessel she hoisted what is called the confederate flag, and the same being unknown in that port, the pilot told the captain that he had to report to the governor before taking the vessel into port.

The pilot having made this report, the governor replied to the captain that, according to orders from the supreme government, he could not admit privateers into the port, nor their prizes, but in the case of distress, and therefore the steamer could not be admitted before her character was perfectly known.

In reply to this message the captain of the steamer remained outside of the port until the next morning, when he sent a despatch to the governor, by an officer, stating that his vessel being a duly commissioned man-of-war of the Confederate States, he desired to enter the port for a few days. The colonial court assembled the same evening, and, on the ground of the declaration and assurance of the privateer captain that the vessel is not a privateer, it was decided that she should enter the port, and she entered accordingly.

The consul of the United States thereupon informed the governor, by a note, that the steamer was, by the laws and express declaration of the United States, a pirate, and that on her way from New Orleans to Curaçoa she had taken and sent for sale to the Spanish island of Cuba several American merchant vessels, and on these grounds he asked upon what pretext and conditions the unlawful steamer had obtained admittance into Curaçoa.

The governor answered that, according to the orders received from the supreme government, neither privateers nor their prizes are to be allowed admittance to the ports or bays of this colony, save only in cases of distress. But that this prohibition does not extend to vessels-of-war, and that the Sumter being a man-of-war, according to the rules of nations, could not be repelled from that port.

The piratical vessel was then supplied, at Curaçoa, with 120 tons of coals, and departed at her own time and pleasure. On receiving this information you were instructed to call the attention of the government of the Netherlands to the proceeding of the governor of Curaçoa, and to ask that the proceedings, if correctly reported, might be disavowed, and that the governor might be made to feel the displeasure of his government.

You performed this duty in due season by addressing a proper note to Baron Van Zuylen. On the 2d of September he acknowledged your note, and promised you an early reply on the merits of the subject.

On the 17th of September he communicated this reply to you in the note which is now before me.

I encounter a difficulty in giving you instructions for your reply to that paper, because, first, since the correspondence was opened, a similar case of violation of our national rights has occurred in the hospitalities extended to the same piratical vessel in the Dutch port of Pernambuco, and has been made a subject of similar complaint, which, as yet, so far as I am advised, remains unanswered; and, secondly, the note of Baron Van Zuylen promises that special instructions shall be speedily given to the colonial authorities of the Netherlands in regard to conduct in cases similar to those which have induced the existing complaints. I cannot, of course, foresee how far those instructions, yet unknown to me, may modify the position assumed by the minister of foreign affairs in the paper under consideration.

Under these circumstances, I must be content with setting forth, for the information of the government of the Netherlands, just what the United States claim and expect in regard to the matter in debate.

They have asked for an explanation of the case, presented by the admission of the Sumter by the governor of Curaçoa, if one can be satisfactorily given; and if not, then for a disavowal of that officer's proceedings, attended by a justly deserved rebuke.

These demands have been made, not from irritation or any sensi-

bility of national pride, but to make it sure that henceforth any piratical vessel fitted out by or under the agency of disloyal American citizens, and cruising in pursuit of merchant vessels of the United States, shall not be admitted into either the continental or the colonial ports of the Netherlands under any pretext whatever. If that assurance cannot be obtained in some way, we must provide for the protection of our rights in some other way. Thus, the subject is one of a purely practical character; it neither requires nor admits of debate or argument on the part of the United States. If what is thus desired shall be obtained by the United States in any way, they will be satisfied; if it fails to be obtained through the disinclination of the government of the Netherlands, its proceedings in this respect will be deemed unfriendly and injurious to the United States. The United States being thus disposed to treat the subject in a practical way, they are not tenacious about the manner or form in which the due respect to their rights is manifested by the government of the Netherlands, and still less about the considerations or arguments upon which that government regulates its own conduct in the matter. They regard the whole insurrection in this country as ephemeral; indeed, they believe that the attempt at piracy under the name of privateering, made by the insurgents, has already well nigh failed. While, therefore, they insist that shelter shall not be afforded to the pirates by nations in friendship with the United States, they, at the same time, are not unwilling to avoid grave debates concerning their rights that might survive the existing controversy. It remains only to say in this connexion that the course which the United States are pursuing in their complaints to the government of the Netherlands is not peculiar, but it is the same which has been and which will be pursued towards any other maritime power on the occurrence of similar grievances.

With these remarks, I proceed to notice Baron Van Zuylen's communication. You will reply to him that the United States unreservedly claim to determine for themselves absolutely the character of the *Sumter*, she being a vessel fitted out, owned, armed, sailed, and directed by American citizens who owe allegiance to the United States, and who neither have nor can, in their piratical purposes and pursuits, have or claim any political authority from any lawful source whatever.

The United States regard the vessel as piratical, and the persons by whom she is manned and navigated as pirates.

The United States, therefore, cannot admit that the *Sumter* is a ship-of-war or a privateer, and so entitled to any privileges whatever, in either of those characters, in the port of Curaçoa; nor can they debate any such subject with the government of the Netherlands. This will be all that you will need to say in reply to the whole of Baron Von Zuylen's note, except that portion of it which states, rather by way of argument than of assertion, that according to the information received from the governor of Curaçoa, (by the government of the Netherlands,) the *Sumter* was actually in distress, and that functionary, therefore, could not refuse to allow the said vessel to enter the port.

If this position shall be actually assumed by the government of the Netherlands, two questions will arise: first, whether the fact that the *Sumter* was in distress was true, or a belief of the truth of that fact was the real ground upon which she was admitted by the colonial governor into the port of Curaçoa; secondly, how far a piratical vessel, roving over the seas in pursuit of peaceful commercial vessels of the United States, and fleeing before their naval pursuit, but falling into distress herself, is entitled to charity at the hands of a State, friendly to the nation upon whose commerce her depredations are directed.

It would hence be idle to occupy ourselves with a discussion of these

questions until we know that the government of the Netherlands determines to stand upon the main position from which they are derived.

You will therefore ask the Baron Van Zuylen for an explicit statement on this subject.

I cannot but hope, however, that the government of the Netherlands will come to the conclusion that it is wisest and best, in view of the relations of the two countries, to give such directions to its agents as will render further prosecution of this discussion unnecessary, while it will prevent similar injuries in future to our national dignity and honor. Should it determine otherwise, and not be able to place the conduct of the governor general at Curaçoa in a better light than it has already done, it will become necessary to consider what means we can take to protect, in the ports of the Netherlands, national rights which cannot be surrendered or compromised.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

No. 24.]

UNITED STATES LEGATION,
The Hague, October 23, 1861.

SIR: I had the honor to transmit to you, on the 16th instant, the last communication of this government in respect to the "Sumter" case, referring to the orders recently given to its colonial authorities, by which the stay of such vessels in Dutch ports is limited to 24 hours, and by which they are also forbidden to take on board more than 24 hours' supply of coal.

Considering these orders to be important, I have, in the following copy of my reply to the Dutch government, ventured to express a qualified satisfaction at their issue. I am in hopes you will adopt a similar view of the case, as I conceive this government to be well disposed towards the United States, and to consider that it has strained a point in our favor.

I doubt if England or France will do anything of the sort; but the course of Holland will, at least, furnish excellent grounds for some pertinent questions in case they decline.

I have informed Mr. Adams, and also Mr. Dayton and Mr. Schurz, of the final action of this government in this case. The copy of my note follows, (to Baron Van Zuylen.)

"UNITED STATES LEGATION,
The Hague, October 22, 1861.

"SIR: In reply to your communication of the 15th instant, which I have had the honor to receive, I take pleasure in assuring your excellency that it has been far from my purpose to say anything at any time which should occasion painful impressions on the part of his Majesty's government, or to use language marked by impatience or irritation at the course of the government of the Netherlands. But while making this disclaimer, frankness compels me to add that I should not know in what more moderate terms to express my sentiments than those I have had the honor to employ in addressing his Majesty's government.

"I desire further to say, in respect to that part of your excellency's communication which refers to the recent orders given to the Dutch colonial authorities not to permit vessels engaged in pirating upon United States

commerce to remain in their ports more than 24 hours, and, when steamers, not to be furnished with more than 24 hours' supply of fuel, that, while I receive the announcement with satisfaction, it is qualified by deep regrets at the position his Majesty's government has thought proper to take in placing the misguided persons in rebellion against the United States on a footing of equality, in a most important respect, with the government to which they owe obedience; for, though the orders in question deny shelter and aid to pirates, it is impossible to regard with complacency the fact that the exclusion operates equally against the vessels of the United States, denying to them that accustomed hospitality ever accorded by friendly nations.

"Abstaining, however, now as heretofore, from any discussion on this topic while awaiting the reply of my government to your communication of the 17th of September, I will only add that I feel assured the United States government will fully share these regrets, and I can only hope will not impeach my expressions of satisfaction at the orders which you inform me have been given in accordance with the rule of action laid down in that paper, notwithstanding the position falls so far short of that which the United States have confidently expected Holland would occupy on this question.

"I pray, &c., &c.

"Baron VAN ZUYLEN, &c., &c.

I have had the honor to receive your despatch of the 4th of October, (No. 24,) relative to the Sumter at Paramaribo, to which subject I have already given my attention.

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

Hon. WM. H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 28.]

DEPARTMENT OF STATE,
Washington, October 30, 1861.

SIR: Your despatch of October 9 (No. 20) has been received. We wait with much interest the result of your application to the government of the Netherlands for explanations of the hospitalities extended by its colonial authorities to privateers.

I am, sir, your obedient servant,

JAMES S. PIKE, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Pike.

No. 29.]

DEPARTMENT OF STATE,
Washington, November 21, 1861.

SIR: Your despatch of October 12 (No. 22) has been received. I learn with much pleasure that you have assurances which, although informal, lead you to expect that a satisfactory course will be adopted by his Majesty's

government in regard to the exclusion of privateers from the ports of the Netherlands. Awaiting with some solicitude more definite information,

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extract.]

No. 25.]

UNITED STATES LEGATION,

The Hague, November 6, 1861.

SIR: I duly received your despatch (No. 25) of the 10th of October, but have nothing by the last mail. I await your response to the communication of Mr. Van Zuylen of the 17th of September last.

I have the honor to enclose you the reply of the minister of foreign affairs to my note of the 22d of last month, a copy of which I forwarded to you in my last.

* * * * *

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, October 29, 1861.

SIR: I have had the honor to receive your letter of the 22d of this month, relative to the affair of the "Sumter," and it has been gratifying to me to learn from its tenor that you have received with satisfaction the information as to the measures adopted by the government of the Low Countries to prevent the return or the prolonged stay in its ports of vessels which, like the "Sumter," seemed to desire to use them as the base of their operations against the commerce of the adverse party.

You regret only that the government of the King should have adopted the same treatment towards the war vessels of the seceding States and those of the United States.

Without entering here into an extended discussion, rendered, moreover, almost superfluous by my two preceding communications, I shall merely permit myself, sir, in referring to their contents, to cause you to observe that, agreeably to the doctrine of the best publicists, neutrality imposes upon those nations which desire to enjoy its benefits a complete abstention from all that could establish a difference of treatment between the belligerent parties, and that this principle applies as well to the cases of civil war, or even of rebellion, as to that of an ordinary war.

Your government having desired that measures should be taken to prevent a prolonged stay in our ports of the Sumter, or of other vessels-of-war of the seceding States, we have admitted the justice of this claim. But these measures could not reach exclusively one of the two parties; they were to be general, and the consequence of it is that the new instructions given to the governors of Curaçoa and of Surinam neither permit the vessels-of-war of the United States, except in the case of being compelled to put into a port, to sojourn in the ports of the Netherlands, in the West Indies, for a longer time than twice 24 hours, (and not for only 24 hours, as you seem to believe.)

Nevertheless, the privateers, with or without their prizes, are, as heretofore, excluded from the Netherlands ports, and it is by an oversight, which I hasten to rectify, that the words "and the privateers" have been introduced into that part of my communication of the 15th of this month which calls your attention to the instructions transmitted to the colonial authorities.

Be pleased, sir, to accept the renewed assurance of my high consideration.

DE ZUYLEN DE NIJEVELT.

Mr. PIKE,

Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 31.]

DEPARTMENT OF STATE,
Washington, November 11, 1861.

SIR: Your despatch No. 24, dated October 23, has been received.

I learn from it that the government of the Netherlands has made an order which will, it is hoped, practically prevent the recurrence of such countenance and favor to pirates in the ports of that state as we have heretofore complained of. You will express to Baron Zuylen our satisfaction with this proceeding, viewed in that light, but you will be no less explicit in saying that this government by no means assents to the qualifications affecting its claims as a sovereign power upon the Netherlands by which the proceeding is qualified.

Not only are we not seeking occasions for difference with any foreign powers, but we are, on the other hand, endeavoring to preserve amity and friendship with them all, in a crisis which tries the magnanimity of our country. Influenced by these feelings, I can only hope that no new injury or disrespect to our flag may occur in the ports of the Netherlands, to bring the action of their government again under review by us.

I am directed by the President to express his approval of the diligence and discretion you have practiced in this important transaction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 32.]

DEPARTMENT OF STATE,
Washington, November 11, 1861.

SIR: Your despatch of October 16 (No. 23) has been received. It con-

tains the reply of Mr. de Zuylen to the note you had addressed to him on the subject of the "Sumter" at Paramaribo.

In another paper I have already communicated the President's views of the disposition of that subject made by the government of the Netherlands, so that nothing remains to be said on the subject which you have had occasion to discuss in the despatch now before me.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. Seward to Mr. Pike.

No. 33.]

DEPARTMENT OF STATE,
Washington, November 23, 1861.

SIR: Your despatch of November 6 (No. 25) has just been received. I have already anticipated and disposed of the principal subject which it presents.

Felicitate the government of the Netherlands as we felicitate ourselves on the renewed auguries of good and cordial relations between friends too old to be alienated thoughtlessly, or from mere impatience.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.



TURKEY.

Mr. Brown to Mr. Seward.

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, May 29, 1861.

SIR:

* * * * *

I had the honor, on the 25th instant, to receive your circular of the 20th ultimo, with its enclosure, addressed to the late minister resident, respecting the fitting out of privateers in Turkey to act against the commerce of the United States, and shall give my faithful and vigilant attention to the orders which it contains. The minister resident, on his departure, gave me the "circulars" of the department, one of February 28, and the other of March 9, 1861, of which he had not either acknowledged the receipt, nor made any use in carrying out the injunctions of the President. These, also, call for my immediate attention, and shall be faithfully executed.

I would here take occasion to add that I am confident there is not now one citizen of the United States in this place animated with sentiments other than those of entire loyalty to the government of the United States, and of devotion to the cause of the Union. Not only from the members of all the foreign legations resident here, but also from all foreigners in this city, I receive expressions of the most friendly nature in favor of the American Union. The unhappy and misguided position assumed by some of its southern States is deeply deplored and strongly condemned by them, and all entertain the hope that a returning sense of patriotism, and a correct view of their own interests, will, before long, restore peace and happiness to our great and prosperous country. These are, also, the sentiments expressed by all of the functionaries of the Sultan's government; and I believe it will, at any time, be easy for the legation to invoke the most friendly conduct on the part of the Sublime Porte in behalf of the government of the United States of America.

I have the honor to be, sir, with great respect, your obedient servant,
JOHN P. BROWN.

Mr. Brown to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
Constantinople, June 11, 1861.

* * * * *

I do not believe that any agents of the "Confederate States" have, as yet, visited this place, and should any come here that the Porte would admit or

recognize them. I receive from H. H. Aali Pacha, minister of foreign affairs, and H. H. Mehemed Kibrish Pacha, grand vizier, repeated assurances of the most friendly sentiments towards the government of the United States, and expressions of warm sympathy for the present unhappy state of popular excitement in the slave States of the Union.

I have the honor to be, sir, respectfully, your obedient servant,
JOHN P. BROWN.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Brown to Mr. Seward.

No. 4.] LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, June 12, 1861.

SIR: I have had the honor to receive your circular of the 6th of May, regarding the duties of the legation and consulates of the United States in Turkey, with reference to passports of American citizens and individuals found negotiating with this government for purposes hostile to the Union.

I have sent a copy of this circular to each consulate of the United States in this empire, and have the honor to enclose herewith copy of the reply of the present consul general for Constantinople, Mr. David P. Heap, in whose loyalty to the government of the United States and fidelity to the Union I have every confidence.

I have the honor to be, sir, with much respect, your obedient servant,
JOHN P. BROWN.

Hon. WILLIAM H. SEWARD,
Secretary of State, United States of America.

Mr. Heap to Mr. Brown.

UNITED STATES CONSULATE GENERAL,
Constantinople, June 12, 1861.

SIR: I have the honor to acknowledge the receipt of your communication of the 10th instant, enclosing a circular from the honorable Secretary of State, dated May 6, on the subject of the delivery of passports to citizens of the United States.

I will strictly conform to the instructions contained therein, and in no case will this consulate general grant its visa to the passport of any person of whose loyalty to the Union it has not the most complete and satisfactory evidence. This consulate general will exercise the utmost vigilance in counteracting the proceedings of any American citizen who, either personally or by agents, is found negotiating with the government or individuals for purposes hostile to the republic.

I remain sir, with high respect, your obedient servant,
D. P. HEAP,
Consul General.

JOHN P. BROWN, Esq.,
Chargé d'Affaires of the United States
of America, Constantinople.

Mr. Brown to Mr. Seward.

[Extract.]

No. 10.]

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, July 17, 1861.

SIR: * * * * *

I have had several conversations with T. H. Mohammed Kibrisli Pacha, the grand vizier, or prime minister, and Aali Pacha, minister of foreign affairs, on the subject of the troubles existing in the United States; and the latter recently requested me to offer you the strongest assurances on the part of the Ottoman government of its friendly sympathies, and its hopes that they may be soon settled in such a manner as will preserve the Union intact. H. H. warmly deprecated the principle of "secession," advocated by the southern States, as ruinous to all governments, and especially to the great American republic, the strength of which so much depends upon its unity. He expressed a warm interest in the future welfare and prosperity of the government of the United States, from which the sublime porte has received so many evidences of a sincere and disinterested friendship.

The Sultan is acting with much energy of character, and introducing many salutary and greatly needed financial reforms in the government. His activity and intelligence have already rendered him very popular among his subjects, and inspire them with great hopes for the future of the empire. There exists perfect harmony and co-operation among all his ministers and other public functionaries.

I have the honor to enclose a copy of the reply which I made to H. H. Aali Pacha, in response to his circular on the subject of the accession of his Majesty, communicated to the department in my despatch No. 8; also copies of a letter from his highness, and my reply, on his recent appointment to the office of minister of foreign affairs, which he has latterly filled only *ad interim*, and hope they will meet with your approbation.

I have the honor to be, sir, with great respect, your obedient servant,
JOHN P. BROWN.

HON. WILLIAM H. SEWARD,
Secretary of State, United States of America.

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, June 26, 1861.

HIGHNESS: I have had the honor to receive the letter which your highness was pleased to address me yesterday for the purpose of informing me officially of the decease of his Imperial Majesty Sultan Abd ul Majid, and the accession to the throne of his brother and legitimate heir, his Imperial Majesty Sultan Abd ul Aziz Khan.

Deeply affected by the decease of a sovereign whose great goodness of heart and many generous impulses have engraved his memory in the minds of all, and which will distinguish the history of his reign, it is with much pleasure that I convey to the knowledge of the government of the United States of America the great qualities of his illustrious successor, his Imperial Majesty Sultan Abd ul Aziz Khan.

The President of the United States will receive with much interest the assurance which your highness has been pleased to convey to me of the in

tention of his Imperial Majesty to continue to cultivate the friendly relations which have always so happily existed between the government of the United States and that of the Ottoman empire—relations to which he attaches a very high appreciation.

I avail myself, also, of the present occasion to renew to your highness assurances of my high respect and very distinguished consideration.

JOHN P. BROWN,

Chargé d'Affaires ad int.

[Translation.]

No. 5232 | 103.]

SUBLIME PORTE, BUREAU OF FOREIGN AFFAIRS,

July 15, 1861.

SIR : I have the honor to inform you that his excellency Fuad Pacha has been called to the presidency of the supreme council of justice, confided, until his return, to his excellency Kiamil Pacha, and that my august master has deigned to appoint me his minister of foreign affairs.

The kind assistance which you have been pleased to give me, during my provisional direction of this department, is an assurance that you will continue the same favor in my endeavors to strengthen still more the relations of friendship and harmony existing between our respective governments.

I take occasion to offer renewed assurances of my high respect and perfect consideration.

AALI.

LEGATION OF THE UNITED STATES OF AMERICA,

Constantinople, July 16, 1861.

HIGHNESS : I have had the honor to receive the letter you were so good as to write me, on the 15th instant, for the purpose of informing me that his excellency Fuad Pacha, having been appointed president of the supreme council of justice, with which his excellency Kiamil Pacha has been charged until his return, his Imperial Majesty the Sultan has been graciously pleased to nominate you his minister of foreign affairs.

I thank your highness for this communication and the kind expressions which it contains, and beg your highness to believe me most desirous of uniting with your highness in whatever may serve to strengthen the relations of friendship and harmony so happily existing between our respective governments, and which owe so much to the friendly sentiments entertained by your highness for the United States.

I hasten also to assure your highness of my perfect respect and most distinguished consideration.

JOHN P. BROWN.

Mr. Seward to Mr. Morris.

No. 3.]

DEPARTMENT OF STATE,
Washington, August 28, 1861.

SIR : The despatch of Mr. Brown, secretary of legation, (No. 10,) dated July 17, has been received.

It is probable that, before receiving these instructions, you will have already assumed the responsibility of asking an audience of the new Sultan, and tendering him, on the part of the President, the proper congratulations. If this duty remains unperformed, you will take an early occasion for it, and will assure him that this government has learned, with sincere pleasure, of his accession to the throne under felicitous auspices, and of the favorable impression which his administration has made upon the minds of the people over whom he presides, as well as in foreign countries. Assure him that we shall suffer no occasion to pass by on which we can demonstrate the good will and friendship of the United States for the government of Turkey, and that we shall be happy if circumstances shall enable the two countries to modify their commercial arrangements so as to increase intercourse between them.

You will receive herewith new letters of credence addressed to his Imperial Majesty the present Sultan.

Mr. Brown's account of the favorable sentiments of his Majesty towards the United States is especially gratifying.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c., *Constantinople.*



SWEDEN

Mr. Angel to Mr. Seward.

[Extract.]

No. 76.]

LEGATION OF THE UNITED STATES,
Stockholm, May 22, 1861.

* * * * *

The Swedish law is very strict against the violation of the rights of neutrals, and I am assured that there is no apprehension that any of the ports of this kingdom or of Norway will be prostituted to the wicked purpose of fitting out privateers.

* * * * *

I have the honor to be, with much respect, your obedient servant,
B. F. ANGEL.

Mr. Angel to Mr. Seward.

[Extract.]

No. 77.]

LEGATION OF THE UNITED STATES,
Stockholm, May 30, 1861.

SIR:

* * * * *

Herewith I beg permission to enclose a copy of my note to Count Manderstrom, minister of foreign affairs, transmitting copies of the President's proclamations establishing a blockade of the ports in the seceding States, which I hope may meet your approbation.

I have the honor to be, with great respect, your obedient servant,
BENJ. F. ANGEL.

Hon. WM. H. SEWARD,
Secretary of State, &c., &c., &c.

LEGATION OF THE UNITED STATES,
Stockholm, May 22, 1861.

SIR: The President of the United States, in view of the disturbed and unhappy condition of public affairs in the southern portion of our confederacy, and in the exercise of what he regards as a legal right and constitutional duty, has ordered and established an effective blockade of the ports in the several States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, Texas, Virginia, and North Carolina.

I have the honor herewith to transmit to your excellency copies of the President's proclamations upon this subject, for the information of his Majesty's government, and I avail myself of the occasion to offer to your excellency the renewed assurance of my high consideration.

BENJ. F. ANGEL.

His Excellency COUNT MANDERSTROM,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Angel to Mr. Seward.

[Extract.]

No. 79.]

LEGATION OF THE UNITED STATES,
Stockholm, June 4, 1861.

SIR: In my conference with Count Manderstrom to-day I was informed that no application has been made to the Swedish government on behalf of the people of the so-called Confederate States for their recognition as an independent nation, and although passports are not now required, either in Sweden or Norway, I am quite sure no agents are here from the seceded States for any purpose whatever. * * * *

I have the honor to be, with great respect, your obedient servant,
 B. F. ANGEL.

HON. WILLIAM H. SEWARD,
Secretary of State, &c., &c., Washington.

Mr. Angel to Mr. Seward.

[Extract.]

No. 83.]

LEGATION OF THE UNITED STATES,
Stockholm, June 10, 1861.

* * * * *
 In the contest in which we are unfortunately engaged, it is of great importance to secure the good opinion of mankind, and I am gratified in being able to inform you that, so far as my reading and observations extend, the better informed European statesmen express the opinion that those charged with the administration of public affairs have acted with the greatest moderation and forbearance under circumstances which might perhaps have justified retaliatory measures, and in their defence of constitutional law and an organized government against treason and revolution they will have the sympathy and best wishes of all conservatives on this side the Atlantic.
 * * * * *

I am, sir, your obedient servant,

B. F. ANGEL.

Mr. Haldeman to Mr. Seward.

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,
Stockholm, June 14, 1861.

SIR: * * * * *

Yesterday I called, by appointment, upon Count Manderstrom, minister of foreign affairs. Count M., in behalf of his government, welcomed me most cordially to Sweden as the representative of the United States of America. Count Manderstrom informed me of the absence of his Majesty in Norway, whose return was daily expected, and that an early day would be fixed for the audience to present my letter of credence. During the interview he referred to the condition of affairs in the United States, and expressed himself strongly in favor of our government.

From the limited opportunity I have had to judge, I have no hesitation in the declaration of the opinion that the sympathy of the entire north of Europe is almost unanimously in favor of the existing government of the United States. The emigration from this part of Europe having been to the northern or free States, they speak as if they would like to give active aid to their friends, relatives, and countrymen.

* * * * *

I have the honor to be, with respect, your obedient servant,

J. S. HALDEMAN.

Hon. WM. H. SEWARD,

Secretary of State, &c., &c., &c.

Mr. Haldeman to Mr. Seward.

[Extract.]

No. 3.]

LEGATION OF THE UNITED STATES,
Stockholm, July 4, 1861.

SIR: I have the honor, in reply to your circular of May 20, to inform you that I am almost confident no effort or attempt to purchase articles contraband of war, or to fit out vessels in any port of Sweden, under letters of marque, need be apprehended. The public voice of this nation, represented by a free press, is clearly and emphatically in favor of my government, and view secession as a causeless rebellion, which ought to be suppressed by the strong arm of military law. Should, contrary to my expectation, efforts be made by mercenary men to give in any manner assistance to the rebels, I have no doubt I shall receive information of the fact in time to call the attention of his Majesty's government to the subject.

Frequently application has been made to me by honorable discharged officers of the army of Sweden to know if their services would be accepted by my government, and on what conditions. I have replied that I have no

instructions on that subject, and can make no promises or arrangements on the part of my government. The question is asked if their passage-money would be paid on their arrival in America and entering the service. Two of these officers are eminent military engineers.

I have the honor to be, with great respect, your obedient servant,
J. S. HALDEMAN.

HON. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Haldeman.

No. 2.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch of June 14 (No. 1) has just been received. Your safe arrival at your destination is a source of satisfaction, and the information you give concerning the tone and temper of public opinion in the north of Europe, with regard to the present embarrassment in our domestic affairs, is especially gratifying.

I am, respectfully, your obedient servant,
WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq., &c., &c., &c.

Mr. Seward to Mr. Haldeman.

No. 3.]

DEPARTMENT OF STATE,
Washington, July 25, 1861.

SIR: Your despatch of June 26 (No. 2) has been received. So much of it as relates to the preservation of the archives, and other matters of subordinate interest, will be noticed in a distinct paper.

The President is gratified by the account of the friendly reception you have received from his Majesty, and directs me to congratulate you upon the good auspices under which your mission is commenced. You will lose no good opportunity for assuring the government of Sweden that the United States entertain the highest consideration and cherish the best wishes for his Majesty and the Swedish people.

I am, sir, respectfully, your obedient servant,
WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
&c., &c., &c., Stockholm.

Mr. Haldeman to Mr. Seward.

[Extracts.]

No. 5.]

UNITED STATES LEGATION,
Stockholm, July 28, 1861.

SIR: Since I last wrote quite a change is visible in diplomatic circles in regard to American affairs. They now speak out openly that the government of the United States should act vigorously and efficiently; enforce the laws by the strong arm of military power; that the rebellion should be annihilated by force and not by compromise; that is a mistaken policy to suppose that delay and the holding out of the olive branch ever fitted rebels for grace, or brought them to a sense of their guilt.

On the 29th of July the King joins his fleet in the Baltic, and will visit the coasts of Norway and Denmark; he will be absent some four or five weeks. Her Majesty at the same time visits her parents, the King and Queen of Holland. Count Edward Piper, who has been appointed minister to the United States, is one of the first noblemen in Sweden, with a thorough English education and manners, and whose appointment was intended as a compliment to the United States. Count Manderstrom informed me at our last conference that a large Swedish frigate would be sent to the American waters to protect Swedish interests against privateers if it should be necessary. From all quarters the firm and decided course of the administration is spoken of with respect and esteem; no one now seems to doubt of the speedy triumph of the government.

I remain, with great respect, your obedient servant,

J. S. HALDEMAN.

HON. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c., Washington.

Mr. Seward to Mr. Haldeman.

No. 4.]

DEPARTMENT OF STATE,
Washington, July 30, 1861.

SIR: Your despatch of July 4, 1861, (No. 3,) has been received, and it is entirely satisfactory in regard to your own activity in your mission, and the favorable dispositions of the enlightened government to which you are accredited.

We notice with much pleasure the willingness of military gentlemen of talent and experience in Sweden, as in other nations, to enter the army of the United States. It is a proof of a sympathy with our great cause of inestimable value. We wish, indeed, that we were able to engage to accept all who should come. But this is impossible, for the reason that they are coming in unknown numbers from various European states, while at the same time a long repressed martial spirit has broken out among our own countrymen, which gives us more candidates than we have places for.

Gradually we have taken into the service several able and spirited military

men from Prussia, Italy, France, and Hungary. I shall be happy to recommend any the government of Sweden may desire us to accept.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
§c., §c., §c., Stockholm.

Mr. Seward to Mr. Haldeman.

No. 5.]

DEPARTMENT OF STATE,
Washington, August 19, 1861.

SIR: Your despatch (No. 4) of July 22 has been received.

The announcement which you were requested to make, by his excellency Count Manderstrom, of the appointment of Count Piper as his Swedish and Norwegian Majesty's minister resident in the United States, has been received with much satisfaction. The filling of the mission in so acceptable a manner at this period is regarded by the President as an earnest of his Majesty's friendly feelings towards the government of the United States, and you are directed to assure Count Manderstrom that the new minister will receive at our hands a most cordial welcome, and that no opportunity will be neglected of strengthening the ties of amity between the government of his Majesty and that of the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
§c., §c., §c., Stockholm.

Mr. Seward to Mr. Haldeman.

[Extract]

No. 6.]

DEPARTMENT OF STATE,
Washington, August 19, 1861.

SIR:

* * * * *

The information which you give concerning the temper and feeling of the government and people of Sweden is very gratifying.

This government will find a sincere pleasure in doing all that shall be in its power to favor the safety and freedom of the commerce of Sweden in the ports of the United States not closed by the blockade.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
§c., §c., §c., Stockholm.

Mr. Seward to Mr. Haldeman.

[Extract.]

No. 7.]

DEPARTMENT OF STATE,
Washington, September 7, 1861.

SIR:

*	*	*	*	*	*
*	*	*	*	*	*
*	*	*	*	*	*

Your communications concerning internal questions in Sweden are appreciated, and we hope that the succession to the throne may be settled in a manner satisfactory to the government, and conducive to the welfare of the enlightened people whom it so deeply concerns.

We have already forgotten the reverse of our arms at Bull Run, which affected you so deeply, and the prospect of the restoration of the authority of the Union is entirely satisfactory. Our volunteer army will, I have no doubt, vindicate its character and win back the confidence of the country and its friends.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
&c., &c., &c., Stockholm.

Ex. Doc. 1—26





PORTUGAL.

Mr. Morgan to Mr. Seward.

[Extract.]

No. 66.]

UNITED STATES LEGATION,
Lisbon, April 6, 1861.

SIR: * * * * *

During the evening his Majesty inquired with interest as to the condition of affairs in the United States, but when I assured him, as I had before done on a similar occasion, that the Union would be preserved, his manner was more expressive of doubt than belief, though he replied that he hoped I was not mistaken, as it would be a great pity to see so fine a country ruined, and I regret to say that my colleagues, and European politicians generally, regard the disruption of the States as an established fact.

* * * * *

With high respect, I have the honor to be your obedient servant,

GEORGE W. MORGAN.

Hon. W. H. SEWARD, *Secretary of State.*

Mr. Morgan to Mr. Seward.

No. 67.]

UNITED STATES LEGATION,
Lisbon, May 29, 1861.

SIR: I have the honor to enclose a copy of my note to the government of H. M. F. Majesty on the subject of privateers.

I have notified our consular agents of the importance of vigilance.

Would it not be good policy to take into regular commission a considerable number of our clipper ships, till our navy can be placed on a basis commensurate with the crisis?

The telegraph announces that the President has notified the foreign powers that he will discontinue diplomatic relations with any nation that recognizes the so-called Confederate States.

I trust that it is true, for such a policy will produce good results, and is not less wise than it is dignified.

If we come out of this contest triumphant, and the Union be preserved, our nation will be more powerful and more glorious, more loved and more feared, than ever before in our history as a nation.

I have the honor to be, very respectfully, your obedient servant,

GEORGE W. MORGAN.

Hon. WM. H. SEWARD, *Secretary of State.*

UNITED STATES LEGATION,
Lisbon, May 27, 1861.

SIR: A combination of individuals in certain of the southern States of the United States have raised the standard of insurrection, and under the pretended authority of the self-styled Confederate States of America have threatened to grant pretended letters of marque for the purpose of committing assaults on the lives, vessels, and property of good citizens of the United States, lawfully engaged in commerce on the high seas, and in the waters of the United States. And in consequence thereof, on the 19th day of April, 1861, and the eighty-fifth year of the independence of the United States, the President, by formal proclamation, declared that if any person, under the pretended authority of the said so-called but unrecognized Confederate States, or under any other pretence, shall molest a vessel of the United States, or the persons or cargo on board of her, that such person will be held amenable to the laws of the United States for the punishment of piracy.

In the name, therefore, of the government of the United States, I have the honor to request that the government of H. M. F. Majesty may cause such measures to be taken as will effectually prevent any vessel from being prepared in any of his Majesty's ports for the aforesaid piratical purposes.

Under the conviction that reliable information as to said insurrection will be gratifying to his Majesty's government, I briefly submit the following statement:

1. The government of the so-called Confederate States has been neither recognized by any sovereign state, nor has it been acknowledged by the people it professes to represent. But, on the contrary, the combination of individuals who have usurped the title of a government refuse to submit their constitution to the ratification or rejection of the citizens of said States.

2. The insurrectionists are wanting in the great elements necessary to successful war. Their ports are strictly blockaded; their supplies are cut off, by land and by sea, and within themselves they are destitute of the means of carrying on a prolonged struggle.

3. That while it may be difficult to predict the length of time which may be required to suppress the insurrection, yet in the future nothing can be more certain than are the vindication of the national flag, and the perfect restoration of order and prosperity under the Constitution of the United States.

It affords me great pleasure to renew to your excellency the assurance of my most distinguished consideration.

GEORGE W. MORGAN.

His Excellency M. ANTONIO JOSÉ D'AVILA,
Secretary of State for Foreign Affairs, &c.

Mr. Harvey to Mr. Seward.

No. 6.]

LEGATION OF THE UNITED STATES,
Lisbon, July 25, 1861.

SIR: I have just had my first interview with Mr. d'Avila, the minister of foreign affairs, since being presented to the King, and desire to report its purpose and character. While no instructions have reached me in regard to the desired action of this government concerning privateers, I considered it proper, in view of the facilities offered by the ports of Portugal and her colonies to prizes, to call the attention of the proper authorities to it at the earliest opportunity when I was in an official position to do so with effect.

On the very day of my arrival here, and when I did not anticipate the painful delays and difficulties which have since occurred, I told General Morgan of my intention to ask for a proclamation excluding privateers, as soon as I was presented. He addressed a note to the foreign office on the 2d instant, in which the general question was discussed at much length. And although he afterwards called several times upon Mr. d'Avila, no answer was obtained before his departure yesterday.

These were the circumstances under which I felt it necessary to go forward and to ask for some decisive action. I told Mr. d'Avila frankly that I did not desire to signalize my advent here by any protracted correspondence, and least of all by a controversy, and that the sentiments which I had expressed at my audience of presentation were those which really animated me. I informed him that a condition of affairs existed in the United States which required me to claim an early and positive expression of views by the Portuguese government on this subject, and therefore he must excuse my seeming urgency. He inquired if I adopted the note which General Morgan had addressed to him. I answered that I accepted the principle, but was willing to waive a correspondence, if the object could be accomplished by a direct and candid interchange of opinions orally, when there would be less difficulty in understanding each other, and a readier mode of reaching a conclusion promptly. He concurred in this suggestion, and said it reflected his own sincere dispositions.

I then told him that a proclamation forbidding the ports of Portugal and her colonies to privateers and their prizes, in explicit terms, would be satisfactory, and argued that, as Portugal had acquiesced in the treaty of Paris of 1856, there ought to be no difficulty in making this declaration. In order to strengthen the reason, I suggested that the proclamation might be made broad and general, because I most desired the assertion of a practical principle which would cover the case completely. He seemed to assent to the idea, and remarked that it was disembarassed materially by the fact that the government of the United States had discountenanced the issuing of letters of marque. I told him that the government had not only done that, but that it deprecated and denounced the system, which certain insurrectionary and tumultuous assemblages of people had proclaimed with a professed authority.

In order that no misapprehension might occur, I notified Mr. d'Avila that a proclamation or declaration which, in doubtful phrases or by implication, recognized the existence of any pretended organization in the United States, independent of the government which accredited me, and which alone has power to make treaties and conduct diplomatic intercourse, would be regarded as a most unfriendly act by the President.

After again urging upon him reasons for an early decision, he explained that the cortes were now in session night and day, but expected to adjourn soon, when he would lay the matter before the King's council, and obtain their opinion, which he thought would conform to my request. I asked him

to name a convenient day when an answer might be expected. He declined fixing a time certain, but expressed the belief that by the middle of next week the council could be convened, and this subject should have precedence over all others.

In proposing a proclamation such as I have suggested, vessels-of-war and their prizes would be allowed entry to the ports of Portugal, which the English and French governments have expressly excluded, putting them on the same footing with privateers. As I have acted upon my own motion in this matter, I submit it to your approbation.

With high respect, your obedient servant,

JAMES E. HARVEY.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Harvey to Mr. Seward.

[Extract.]

No. 7.]

LEGATION OF THE UNITED STATES,
Lisbon, July 28, 1861.

SIR: Since my despatch (No. 6) of the 25th instant, information reached me

* * * * *

that plans were concerted by the parties who had recently applied for the privilege of fitting out a privateer, and others, to accept letters of marque from the so-called Confederate States, and to use some of the remote islands of Portugal as places of rendezvous for outfit and for the disposal of any prizes that might be taken.

In view of the facilities offered for these nefarious enterprises in the Azores, Madeira, Cape de Verd, and other islands, as well as in the small Indian possessions of that kingdom, I felt it proper to address the note, of which a copy is enclosed, to the minister of foreign affairs, yesterday, as a means of inducing him to take immediate and decisive action on the subject. These facts will serve to explain the seemingly urgent tone of my note, which I thought demanded by the necessity of the case.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

HON. W. H. SEWARD,
Secretary of State.

LEGATION OF THE UNITED STATES, *July 27, 1861.*

The undersigned presents his compliments to his excellency M. d'Avila, minister of foreign affairs of his most faithful Majesty, and begs leave to repeat in this form, for the convenience of a more precise understanding, the substance of the ideas which he had the honor to express in his interview with his excellency on the 25th instant.

Portugal has acceded fully to the anti-privateering doctrine established by the declaration of the congress of Paris of April, 1856, to which the assent of the United States has recently been given.

Opposed to the principle and practice of privateering, Portugal ought not

to hesitate, as it appears to the undersigned, to declare by general proclamation, as a general principle and rule, that her ports are no longer open to privateers or their prizes.

This is the extent of the present request of the undersigned. He does not ask that Portugal shall make any particular application of the general rule to the peculiar and unhappy state of things now existing in the United States, nor that any unnecessary notice or cognizance should be taken of the disturbed condition of domestic affairs in the United States. Indeed, the government of the United States would not view with satisfaction any such superfluous and unnecessary expression of views or sentiments by any foreign power in regard to a state of things purely domestic, local, and temporary, to which a satisfactory termination will soon be placed by the ample power of the United States government. On the contrary, as the undersigned took occasion to assure his excellency M. d'Avila, at the personal interview referred to, any declaration which recognized the existence, even by implication, of a pretended organization in the United States, independent of the government, which alone has the power to make treaties, and to conduct diplomatic intercourse, and the authority of which cannot be questioned, would be considered as a most unfriendly act.

As little as the government of the United States would pretend to interfere in any analogous question that might possibly arise between the government of his most faithful Majesty and any of the provinces of his kingdom, can the United States be disposed to view with satisfaction any such expression as that suggested on the part of his or any foreign government. At the same time it is manifest that questions of the most embarrassing and even dangerous character are, at any moment, liable to occur, if unlawful and piratical privateers, with unlawful prizes, should make their appearance in the waters of Portugal or her colonies, and it is with a view to the amicable anticipation of such possible contingencies that the undersigned has requested, and now repeats the request, that the government of his most faithful Majesty should simply carry out, to its natural and necessary consequence and application, the principle of the declaration of Paris above referred to, as having been fully acceded to by the enlightened government of his most faithful Majesty.

The undersigned begs to add the expression of his hopes that in advance of the issue of the proclamation, which, under these circumstances, he believes and expects will be issued at the earliest convenient day by his most faithful Majesty, the undersigned may be favored with an opportunity of seeing the proposed terms of the same, in order that, by means of frank interchange of views, there may be the more perfect certainty of such a friendly and reciprocally satisfactory harmony of views between the two governments as shall correspond to the sentiments already fully expressed by the undersigned on behalf of the President of the United States, and most satisfactorily and cordially responded to by his most faithful Majesty.

In conclusion, the undersigned respectfully asks that this subject, in view of its importance and possible complications, may be brought to the early notice of his most faithful Majesty, so as to preclude the happening of events which might involve grave consequences, to which the interests and good will of both nations are alike opposed. He appreciates the reasons which have been assigned for the delay, since the subject was first presented by his immediate predecessor, in a note to his excellency M. d'Avila, dated on the 2d of July; but urgent considerations have recently arisen which require the undersigned to submit this request on behalf of the government of the United States.

The undersigned avails himself of this occasion to renew the assurances of his most distinguished consideration.

JAMES E. HARVEY.

Mr. Harvey to Mr. Seward.

No. 8.]

LEGATION OF THE UNITED STATES,
Lisbon, July 30, 1861.

SIR: I received a note from Mr. d'Avila, the minister of foreign affairs, yesterday, requesting an interview with me at 4 o'clock. I called at the foreign office at the appointed hour, and he immediately presented the original draft, in Portuguese, of a proposed proclamation, of which I enclose a translated copy, marked No. 2. After hearing it read and reduced into English, I expressed my acceptance of its general scope and spirit, but expressly demurred to the declaration at the end of article 2, by which armed vessels are placed in the same category as privateers in regard to prizes. Although I knew it was of no practical importance to the United States under present circumstances, it was easy to foresee that in the event of war with England or France, and with their ability to blockade our ports, that prizes taken by American ships-of-war would be thus excluded from Portugal and her possessions. Hence my objection to that point. I told Mr. d'Avila that it went beyond the treaty of Paris, upon which the proclamation was professedly predicated, and that it did what I had sought to avoid by introducing indirectly our domestic question. He said his object was to exclude the prizes of vessels-of-war of the so-called Confederate States, in case they should create a navy, and thus to guard against any future complication. To this suggestion I answered that, as we were not dealing with supposititious or hypothetical cases, it was necessary to adhere to the practical question, and, as we had stated, on the basis of the declaration of Paris in regard to privateering and his own preamble set out with that statement, the introduction of any extraneous matter would be not only irrelevant, but likely to defeat the object which both sides alike professed to have in view. He did not respond to this suggestion, but agreed to let me take the rough draft, in order that I might submit whatever observations might occur to me as appropriate.

I prepared the accompanying note (marked No. 1) this morning, and sent it to Mr. d'Avila an hour ago.

There are two councils before which such questions are considered; first, the council of ministers or the cabinet; and second, the council of state, which is a larger body, and includes the cabinet and other distinguished persons. I understood Mr. d'Avila to say that the draft of the proclamation had been laid before the former, and approved by them, and that my proposed amendment must, therefore, be presented at another meeting. I have reason to believe that my note of Saturday precipitated this action, which, in a country where diplomacy is proverbially slow, exhibits unusual promptitude.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

HON. W. H. SEWARD,
Secretary of State, Washington City.

No. 1.

LEGATION OF THE UNITED STATES,
July 30, 1861.

The undersigned presents his most respectful compliments to his excellency M. d'Avila, and referring to the conversation he had the honor to have with his excellency yesterday, and repeating his thanks for his excellency's courtesy in showing him the draft of the proclamation contemplated by the government of his most faithful Majesty, as a proper consequence and application of the principles adopted by Portugal by her adhesion to the declaration of Paris of April, 1856, he begs leave to submit the following observations to his excellency's enlightened consideration:

The declaration of Paris abolished privateering. It would seem to follow as a necessary logical consequence to all powers acceding to the same, that under no circumstances (except those of force, *majeure*, and brief, indispensable hospitality, in view of the laws of humanity) ought their ports to be open to the admission of privateers or their prizes. So far, then, as regards privateers and their prizes, the undersigned sees nothing but what he must approve in the draft of the proclamation referred to.

But the declaration of Paris did not go further, and change the established maritime law of the world in regard to the legality of the capture of prizes by the regular men-of-war of the naval forces whose fleets roam the ocean. Such prizes have always been deemed legitimate, and still remain so. It is no application of the principles of the declaration of Paris to exclude such regular and lawful prizes, made by the regular vessels of one nation, from the ports of a friendly nation. In this respect the words, "*on por embarcacoes annadas*," at the end of article 2, appear not only to go much beyond the principles of the declaration referred to, but even to be most unnecessarily introduced into a proclamation avowedly designed for the mere execution and practical application of the principles of that declaration. To introduce them at this moment in such a proclamation would be deemed by the government of the United States not only as a gratuitous deviation from the terms of the preamble to the same proclamation, but as a deviation prompted by a reason which would seem to involve an indirect, if not a direct, reference to the present rebellion of a small portion of the United States. It would be understood as placing on the same level the regular men-of-war of the United States and the privateers of the States now in rebellion, so far as regards the prizes made by them. It is only with reference to the principle involved, to the apparent inconsistency between the preamble and the sequence, and to the misconstruction to which it would be consequently liable, that the undersigned indulges the hope and expectation that the few words above cited may be omitted from the proposed proclamation, and takes occasion to say that in that form it will be perfectly acceptable to the government of the United States, and will add another to the many links of friendly relation and intercourse which already bind closely together the two countries.

It is only proper for the undersigned to notify his excellency M. d'Avila that information has been communicated to the government of the United States which authorizes the belief that some of the remote islands and colonies of this kingdom are proposed to be used by designing and reckless persons to engage in the nefarious enterprises referred to by the equipment of privateers, or the sale of prizes, if any should be taken. He knows perfectly well, in advance of any assurance, that such lawless undertakings would be sternly deprecated by the government of his most faithful Majesty; but his excellency cannot fail to discover in this fact an urgent

reason why a proclamation of such sentiments, and in the unobjectionable form suggested, should be immediately made. It is with this view, and to provide against the contingency of future, and perhaps of impending, difficulty, that the undersigned has brought the subject thus promptly to the notice of his excellency, and with the most friendly spirit and purpose.

The undersigned begs leave to return the rough draft of the proclamation, and to repeat his assurances of respect and distinguished consideration.

JAMES E. HARVEY.

No. 2.

[Translation of proposed proclamation.]

It being convenient, under existing circumstances, to carry out the execution of the principles contained in the declaration of Paris of 16th April, 1856, made by the representatives of the signing parties to the treaty of peace of 30th March of the same year, to which my government hath adhered, I am pleased hereby, having heard the council of ministers, to decree the following :

ARTICLE 1.

It is prohibited to Portuguese subjects and foreigners to equip in the ports and waters of this kingdom, not only on the continent and adjacent islands, but also in the ultramarine provinces, vessels destined for privateering.

ARTICLE 2.

In the same points cited in the preceding article it is equally prohibited the entry of privateers and prizes made by them or by *armed vessels*.

§°. All cases of force, (*majeure*,) wherein, according to the rights of nations, hospitality becomes indispensable, are excepted from this clause without, however, allowing, under any form, that the sale of objects arising from prizes shall take place.

Let the ministers and secretaries of state of all the departments understand these presents, and cause the same to be executed.

PALACE OF NECESSIDADES, *July 29, 1861.*

Mr. Seward to Mr. Harvey.

No. 2.]

DEPARTMENT OF STATE,
Washington, July 30, 1861.

SIR : Your despatches No. 1, of June 30, and No. 2, of July 7, have been received, and are under the consideration of the President.

Mr. Morgan's despatch No. 70, of the date of July 5, has been received. I am instructed by the President to say that Mr. Morgan's proceeding in addressing the Portuguese government on the subject of allowing the fitting out or harboring of privateers to prey upon the commerce of the United

States is approved, as well as the general tenor of his communication on that occasion.

The President cannot for a moment allow the belief that Portugal would be the only or even the first power to permit proceedings so injurious to the United States as a license or shelter granted to pirates engaged in preying on their commerce would be. Nevertheless, we shall look not without some solicitude for the result of the matter thus initiated by Mr. Morgan.

Please assure him, if he is yet remaining in Lisbon, of the entire satisfaction with which his conduct in the mission, so far as it has been reported to me, is regarded by the government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., &c., &c., &c., *Lisbon.*

Mr. Seward to Mr. Harvey.

No. 5.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: Your despatch No. 7, dated July 28, has been received. It is accompanied by a copy of a note which you on the 27th of July addressed to M. d'Avila, minister for foreign affairs in the government of Portugal, on the subject of privateering by or in the service of the insurgents of the United States. Your proceeding in this respect seems to have been eminently judicious, and the note itself, I think, very well and properly expressed.

It is hoped that you will before this time have received such a satisfactory reply as our good relations and treaties with the government of Portugal authorize us to expect.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., &c., &c., &c., *Lisbon.*

Mr. Seward to Mr. Harvey.

No. 7.]

DEPARTMENT OF STATE,
Washington, August 21, 1861.

SIR: Your despatch No. 4, under the date of July 20, has been received. Your address to his Majesty was appropriate, and even happy. His reply is very gratifying to this government.

We trust that you may find it easy to keep the relations between the two countries on a basis of mutual and cordial friendship.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., &c., &c., &c., *Lisbon.*

Mr. Seward to Mr. Harvey.

No. 8.]

DEPARTMENT OF STATE,

Washington, August 24, 1861.

SIR: Your despatch No. 8, dated July 30, has been received, and I have the pleasure of informing you that the President entirely approves of your diligent and judicious action concerning the proposed proclamation of the government of Portugal. We look with much confidence for good results from it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., &c., &c., &c., *Lisbon.*

Mr. Harvey to Mr. Seward.

No. 13.]

LEGATION OF THE UNITED STATES,

Lisbon, August 25, 1861.

SIR: I have the honor to enclose herewith the copy of a note from the foreign office, covering the copy of a proclamation in regard to privateers and their prizes, (Nos. 1 and 2,) in the form finally adopted by the council of state. This decree was published in the official paper (*Diario de Lisboa*) on the 23d instant, a copy of which has already been transmitted to the department.

By referring to my despatch No. 8, it will be seen that the preamble of the proclamation has been modified, so as to escape the logical inconsistencies which I then pointed out, in the hope of inducing the omission of certain phrases, which would have rendered it more acceptable. I have the best reason to know that the council of ministers, or cabinet, were not only well disposed to adopt my proposed amendment, but that they submitted the proclamation with the revision.

When this fact became known to me, I urged, with every influence and persuasion at my command, an immediate decision, so as to insure the promulgation before any interrupting cause or accident could intervene. But the King went away for a short time, and a council of state, to which the proposed action of the council of ministers on important questions is presented for examination, could not be convened. In the meantime intelligence from the United States of an eventful character affected opinion here, and gave increased weight to the objections which had been urged by the British minister and others against the form of proclamation which I had requested. A council of state was summoned upon the return of the King, and the result of their deliberations is to be found in the documents enclosed in this despatch.

While I should have been greatly gratified had my amendment been accepted, I have the satisfaction to know that it did not fail from any want of zeal, energy, or effort on my part, and that the proclamation as it now stands is mainly predicated upon your policy, in execution of the principle of the treaty of Paris, and is not open to the objections urged against those issued by England, France, or Spain.

I have the honor to be, sir, very respectfully,

JAMES E. HARVEY.

HON. W. H. SEWARD,

Secretary of State.

Mr. d'Avila to Mr. Harvey.

[Translation.]

No. 1.]

DEPARTMENT OF STATE FOR FOREIGN AFFAIRS,
August 22, 1861.

The councillor of state, Antonio José d'Avila, presents his most attentive compliments to Mr. James E. Harvey, and has the honor to remit him the enclosed copy of the decree of the 29th of July last, published according to the last form given thereto, after hearing the council of state.

[Translation.]

No. 2.]

MINISTRY OF FOREIGN AFFAIRS.

It being proper, in view of the circumstances at present existing in regard to the United States of America, to carry into effect the principles established in the declaration of Paris of April 16, 1856, made by the representatives of the powers that signed the treaty of peace of the 30th of March of that year, to which declaration my government acceded, and likewise, for the same reason, to adopt other measures which I deem opportune, I have been pleased, after hearing the council of state, to decree as follows:

ARTICLE 1.

In all the ports and waters of this kingdom, as well on the continent and in the adjacent islands as in the ultramarine provinces, Portuguese subjects and foreigners are prohibited from fitting out vessels destined for privateering.

ARTICLE 2.

In the same ports and waters referred to in the preceding article is, in like manner, prohibited the entrance of privateers and of the prizes made by privateers, or by armed vessels.

§ The cases of overruling necessity, (*força maior*), in which, according to the law of nations, hospitality is indispensable, are excepted from this regulation, without permission, however, being allowed, in any manner, for the sale of any objects proceeding from prizes.

The ministers and secretaries of state in all the departments will thus understand, and cause it to be executed.

PALACE OF NECESSIDADES, *July 29, 1861.*

KING.

MARQUEZ DE LOULÉ.
ALBERTO ANTONIO DE MORAES CARVALHO.
VISCONDE DE SÁ DA BANDEIRA.
CARLOS BENTO DA SILVA.
THIAGO AUGUSTO VELLOSO DE HORTA.
ANTONIO JOSÉ D'AVILA.



PERU.

Mr. Seward to Mr. Robinson.

No. 2.]

DEPARTMENT OF STATE,
Washington, November 12, 1861.

SIR: You are appointed a minister to represent the United States near the republic of Peru.

This appointment is an overture by this government, under the present administration, to renew the friendly relations with Peru, which had been suspended, on the motion of this government, when administered by the last President, James Buchanan.

The Peruvian government may naturally ask and be entitled to an explanation of this change of position on the part of the United States.

It is confessed to be unfortunate when any government has occasion to reverse its policy in any material respect, especially a policy of friendship or of hostility towards foreign nations. Inconstancy is always liable to be mistaken for inconsistency, and inconsistency is too often the result of caprice.

Moreover, when we come to explain such a change in any case, however necessary it may have been, we shall still find it necessary to explain in such a manner as shall not cause it to be understood that the reconsideration is due to personal or partisan considerations indulged by the government.

Keeping these points in view, you will be at liberty to say, in your communications with the representatives and statesmen of the country to which you are accredited, that the President of the United States entertains the opinions that the several states founded on the American continent have common interests arising out of their neighborhood to each other, their common attitudes towards states in the eastern hemisphere, and the similarity of their commercial, social, and political institutions; that owing to the inexperience of mankind in the conduct of republican representative institutions, and the incompleteness of assimilation in the population of these American states, there is always too much danger of faction at home, while faction at home inevitably tends to invite intrigues and intervention from abroad for the overthrow of the American powers with hopes of reconquest from Europe. For these reasons, the President of the United States, without at all reflecting upon the sentiments or the action of his predecessor, determined, on assuming the administration of the government, to resist rather than to yield to influences which might tend to introduce anarchy into any one of the American states, or produce alienation and war between them.

In reviewing the causes assigned by his predecessor for withdrawing our representative from Peru, he came to the conclusion that, although serious differences had arisen between the two countries, yet that there was no imperative necessity resulting from those differences for a declaration of war against Peru. Not being able to recommend to Congress the adoption of hostilities against Peru, it seemed to result that the differences between the two states might be accommodated by the two powers in case of renewed and pacific relations.

The questions in difference between the two countries will be a subject of special instruction in a distinct paper. I confine myself in this despatch to instructions for your conduct in presenting yourself at Lima.

You will assure the government of Peru that the United States are sincere and earnest in their friendship and affection for that republic; that they desire its prosperity and advancement, equally for the welfare of its own people and the best interests of civilization; and that consistently with that regard for own rights, which every nation must always cherish which is really independent, the United States will always be found to manifest the most cordial sympathies with the republic of Peru, and with other sister states on the American continent.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHRISTOPHER ROBINSON, Esq., &c., &c., &c.

GUATEMALA.

Mr. Crosby to Mr. Seward.

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,
Guatemala, June 1, 1861.

SIR: * * * * *

His excellency the President of Guatemala and his ministers, as well as the other officers and gentlemen of the government and country, all express their great friendship for the government and people of the United States, and especially their fervent hope that the present administration might successfully suppress the disturbances in portions of the southern States, and maintain the Union in all its integrity.

* * * * *

I have the honor, &c.,

E. O. CROSBY.

Hon. W. H. SEWARD,
Secretary of State.

Ex. Doc. 1—27



NICARAGUA.

Mr. Seward to Mr. Dickinson.

No. 2.]

DEPARTMENT OF STATE,
Washington, June 5, 1861.

SIR: The Spanish American states are important characters in the interesting drama of advancing civilization. They occupy a virgin domain equal to about one-eighth of the habitable part of the globe. Its fountains of wealth are inexhaustible. Its position secures it nearly equal advantages of trade and intercourse with the listless nations of the east, and with the vigorous nations of the west. Its ports, as well as all its transit routes are essential features in the commerce of the world. With the advantages of youth and singular exemption from foreign oppression or aggression which the Spanish American states have enjoyed for near half a century, it might have been expected that they would within that period have become strong and influential nations. The fact, thus far, is otherwise. They are just strong enough to maintain independence without securing necessary fear or respect. With much versatility, respectable talent, high cultivation, and very generous aspirations, they are generally changeful and capricious. The very mention of a South American state suggests always the same inquiry: why a people so free, so virtuous, so educated, and so emulous, are not more secure, fortunate, and happy. Everybody wishes the Spanish American states well, and yet everybody loses patience with them for not being wiser, more constant, and more stable. Such, I imagine, is the temper in which every foreign state finds itself when it proposes to consider its relations to those republics, and especially the republics of Central America. I know, at least, that this has always been the temper of our best statesmen in regard to Nicaragua. Union, or, at least, practical alliance with Nicaragua has always been felt by them as a necessity for the United States, and yet no one ever deems it prudent to counsel the establishment of such intimate relations. Possessing one of the continental transits most interesting to the United States, Nicaragua is at once jealous of foreign intervention to render it available, and incompetent to open and maintain it herself. But Nicaragua, like the other Spanish American states, has far better excuses for its shortcomings than it generally has credit for. That state became precociously mature, and it adopted our model of government with little of that preliminary popular education and discipline which seem necessary to enable any people to administer, maintain, and preserve free republican institutions. The policy pursued by foreign nations towards Nicaragua has not been liberal or generous. Great Britain, in her wars with Spain, early secured a position in the state very detrimental to its independence, and used it to maintain the Indians in a condition of defiance against the creole population, while it did nothing, at least nothing effectually, to civilize the tribes whom it had taken under its protection. Unwilling to lend the aid necessary to the improvement of the country, Great Britain used its protectorate there to counteract domestic efforts and intervention from this government to make that improvement which was necessary for the interest of Nicaragua herself, and hardly less necessary

for all the western nations. Our own government has been scarcely less capricious, at one time seeming to court the most intimate alliance, at another treating the new republic with neglect and indifference, and at another indirectly, if not directly, consenting to the conquest and desolation of the country by our own citizens for the purpose of re-establishing the institution of slavery, which it had wisely rejected. It may be doubtful whether Nicaragua has not until this day been a loser instead of a gainer by her propinquity to, and intercourse with, the United States.

Happily this condition of things has ceased at last. Great Britain has discovered that her Mosquito protectorate was as useless to herself as it was injurious to Nicaragua, and has abandoned it. The United States no longer think that they want slavery re-established in that state, nor do they desire anything at the hands of its government but that it may so conduct its affairs as to permit and favor the opening of an inter-oceanic navigation, which shall be profitable to Nicaragua and equally open to the United States and to all other maritime nations.

You go to Nicaragua in this fortunate conjuncture of circumstances. There is yet another comfort attending your mission. Claims of American citizens upon the government of Nicaragua have long been a source of diplomatic irritation. A convention which provides for the settlement of these claims has been already negotiated. It wants only the consent of the Senate of the United States to an amendment proposed by Nicaragua, which, it is believed, would not materially change the effect of the convention, and such consent may, therefore, be expected to be given at the approaching special session of Congress.

Your instructions, therefore, will be few and very simple. Assure the republic of Nicaragua that the President will deal with that government justly, fairly, and in the most friendly spirit; that he desires only its welfare and prosperity. Cultivate friendly dispositions there toward the United States. See that no partiality arises in behalf of any other foreign state to our prejudice, and favor, in every way you can, the improvement of the transit route, seeking only such facilities for our commerce as Nicaragua can afford profitably to herself, and yield, at the same time, to other commercial nations.

Let unpleasant memories of past differences be buried, and let Nicaragua be encouraged to rely on the sympathy and support of the United States if she shall at any time come to need them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. DICKINSON, Esq., &c., &c., &c.

EGYPT.

Mr. Thayer to Mr. Seward.

No. 3.]

UNITED STATES CONSULATE GENERAL,
Alexandria, Egypt, June 29, 1861.

SIR: I have the honor to inform you of my arrival at this port on the morning of the 26th instant. The interruption of travel between Washington and New York, consequent on the late riotous proceedings in Baltimore, and my illness in Europe, necessarily prevented an earlier appearance at my post.

Immediate notice of my arrival, coupled with a request for an early interview with the viceroy, was served on the minister of foreign affairs, who telegraphed accordingly to the Pacha, then sojourning at his palace in Benha, about one hundred and twenty miles distant. A reply arrived on the evening of the 28th instant, that his highness would visit Alexandria and give an official reception. The promptness of his response, and his obliging readiness in voluntarily foregoing the usage which has heretofore required diplomatic agents, when asking an immediate interview, to present themselves in whatever part of Egypt he may have happened to be, instead of his coming to meet them, are interpreted here as marks of special courtesy to the government of the United States.

At half-past eight, according to previous arrangement, the dragoman of the viceroy arrived at the United States consulate with the state carriage, in which, together with our vice-consul, Mr. Johnson, I was conveyed to the palace built by the late Mohammed Ali on the sea-shore. We were also accompanied by a cavalcade of guards and janizaries attached to the other consulates at Alexandria. As we entered the court-yard the troops were drawn up in a line, with quite a fine effect, on our right, and we were greeted with the vigorous music of a military band.

Passing up the steps of the palace, and between the numerous attendants and officers who stood in order on each side, I was welcomed by the minister of foreign affairs, and by him presented to the viceroy, who advanced towards the centre of the spacious hall of reception. I then addressed him as follows:

"YOUR HIGHNESS: I have the honor to present to your highness a letter of credence from the President of the United States, announcing that I have been duly appointed to be the consul general of the United States for Egypt and its dependencies.

"In thus accrediting me as a diplomatic agent, the President desires me to assure your highness of his cordial friendship, and of his satisfaction in the continuance of those amicable relations which have so long and so happily subsisted between the governments of your highness and of the United States.

"During my official residence it will be my pleasant duty, acting in harmony with these assurances of the President, to use all honorable means to protect the interests of my fellow-citizens, and at the same time to foster a good understanding between them and the subjects of your highness. May these purposes receive your highness's benevolent approval."

In accepting my credentials, his highness replied, in French, that he perfectly understood and was much pleased with what I had said; that he welcomed me to Egypt, and hoped that his relations with the United States would be as agreeable hereafter as they had been in times past.

The viceroy then invited me to the divan, where we sat holding a few minutes of informal conversation, with the usual accompaniment of pipes and coffee. His highness was in his most affable humor. He hoped that Egypt would prove agreeable to me, though I might find it very different from the United States. Here in Egypt, he remarked, things go on very smoothly. I replied, in so far as things went smoothly, I trusted the United States would be able to imitate the government of his highness. The viceroy laughed, and then proceeding from gay to grave, mentioned the melancholy tidings he had heard the night before of the Sultan's death. I responded that I lamented the sad event, but was very glad, nevertheless, that the vicéroy was in excellent health. His highness, whose domains are but nominally a dependency of the Sultan's, seemed to take pleasure in this compliment. To the suggestion that a voyage to the United States in one of the excellent steam yachts of his navy might be interesting to him, the viceroy answered that he could not leave his country for so long a time. This, I assured him, was the worst disability under which his highness labored. The viceroy made no explicit reference to the present domestic disturbances in the United States, but expressed his good wishes for the welfare and harmony of our government.

I was next invested with "the sabre of honor," and returned home, escorted in the state carriage as before. Immediately on my reception by the viceroy a salvo of cannon had been fired, and at the signal, the national flags of all the fifteen consulates in Alexandria were raised for the day in compliment to the occasion. A horse, handsomely caparisoned, awaited me as I left the palace, and was led to the consulate as the gift of the viceroy. The uniform usage in Egypt makes this present so essential a part of a first official reception by the viceroy, that the refusal of it would be deemed ungracious, and our government, in the case of all my predecessors, has permitted its acceptance. As the oriental custom on such occasions made it necessary for me to disburse a considerable sum of money in gratuities to the very numerous soldiers and servants of the viceroy, his gift may be regarded as in some degree reciprocated. The pecuniary value of the horse is by no means large.

On returning to the consulate I found the military band of the viceroy stationed in front, who continued their complimentary services during the whole day. The consuls general of other nations, and the viceroy's minister for foreign affairs, then called upon me, appearing in full uniform; and in the afternoon I returned their visits, paying my respects first to the minister. By the minister and by the consuls a deep and intelligent interest was manifested in the affairs of the United States, and warm wishes were expressed for the continuance of our Union. The vigor of our government, and the vastness, suddenness, and spontaneous character of the military movement of our people in the pending struggle for national integrity, seem to have filled them with surprise. Indeed, among all well-informed men here, as well as elsewhere abroad, the historic battle fields of Europe have paled in interest before the tremendous uprising of the great nation beyond the Atlantic. They almost forget the political complications nearer home in studying the military map of the United States. The book-shops of the principal transatlantic cities abound in maps, charts, and other publications illustrative of the American contest, and the United States will become to masses, hitherto ignorant of its geography, a ground more familiar than

were India and the Crimea when the progress of armies made their localities significant to the whole world.

I have the honor to be, sir, your obedient servant,

WILLIAM S. THAYER.

HON. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Thayer to Mr. Seward.

[Extract]

No. 4.]

UNITED STATES CONSULATE GENERAL,
Alexandria, Egypt, July 20, 1861.

SIR: * * * * *

Mr. Haywood, secretary of the Manchester Cotton Supply Association, is expected here daily on a mission to Egypt and India, relative to the prospective deficiency of cotton produced by the pending conflict in the United States.

Mr. Haywood, while here, will endeavor to induce the Egyptian government to extend the cultivation of cotton. It is believed that the crop in Egypt could be increased tenfold if the government would tender its aid. Carelessness in allowing the small canals of irrigation to be obstructed is said to be a cause of the comparative meagreness of the average yield of this important staple.

This year, owing to the unusual height of the last overflow of the Nile, the crop promises to exceed considerably that which preceded it. In expectation of a scarcity in England, some of the commercial houses of Alexandria are sending agents into the interior to buy up the cotton in advance of harvest. But so well understood is the condition of the cotton growing region in the United States, even by the poorest fellahs, (peasants,) that it is difficult to persuade them to sell on terms which heretofore they would have been delighted to accept. The ruling price, at the last quotations, of Mako, which ranks next to Sea Island cotton, is 275 piastres (\$13 75) per cantar (a quintal;) but some of the largest cotton growers insist on \$17 00, and are holding back for that unheard of figure.

The following information is derived from intelligent men whose business connexions in Egypt give authority to their statements in reference to this important question. I also communicate some tabular statistics which are appended to this despatch.

The cotton crop of Egypt commences to be gathered about the middle of September. There are two qualities, the Sea Island and the Mako.

The Sea Island cottons are divided into two kinds. The first is that of which the seed is new, and which is sown for the first time in Egypt. The second is that which has been sown for the second time. The Sea Island, after the second planting, are changed into fine Mako.

The Mako are divided into three kinds, which in commerce are called fine quality, medium quality, and inferior quality.

It is very difficult to give an exact statement of the number of quintals which Egypt annually produces. But, according to the official tables of exports, the total amount of crop is valued, on an average yearly, at from four hundred and sixty thousand to five hundred and fifty thousand, divided as follows:

	Quintals.
Sea Island, 1st kind.....	2, 000 to 2, 500
Sea Island, 2d kind.....	1, 000 to 1, 500
Mako, fine.....	100, 000 to 140, 000
Mako, medium.....	300, 000 to 380, 000
Mako, inferior.....	47, 000 to 56, 000
	460, 000 to 550, 000

The prices during the six months ending June 30, 1861, have been—

	Piastres per quintal.
Sea Island, 1st kind.....	450 to 500
Sea Island, 2d kind.....	320 to 390
Mako, fine.....	250 to 360
Mako, medium.....	230 to 270
Mako, inferior.....	180 to 230

According to the statistics of exports, (they) have been as follows:

	1859.	1860.	1861, 1st six months.
	<i>Quintals.</i>	<i>Quintals.</i>	<i>Quintals.</i>
For England.....	325, 401	311, 253	264, 876
For Austria.....	78, 372	41, 080	22, 020
For France.....	98, 672	78, 302	117, 656
For Italy.....	200	160	20
For Spain.....	.....	620	.....
For Antwerp.....	.....	.....	156
Total.....	502, 643	431, 415	404, 728

The tabular results of the last six months indicate that England will absorb a far larger proportion of Egyptian cotton than heretofore.

As before remarked, a favorable expectation prevails respecting the new crop, because the waters of the Nile have now almost reached the level of the same period last year. But this expectation may fail, for the goodness of the crop depends, not solely on the overflow of the Nile, but also on the winds, which are more or less auspicious at the time of the efflorescence of the pods.

Thus far the disturbances in America, which have produced various fluctuations in the price of cotton, have not as yet caused an increase of more than two dollars (40 piastres) per quintal.

An informal application has been made to me in behalf of various Greek and Italian residents of Alexandria, who desire to enlist in the military service of the United States, if means shall be furnished to transport them thither. I replied that I should, while appreciating their benevolent wishes to our country, await instructions from my government before giving them any encouragement.

The 4th of July, in Alexandria, was observed in the usual manner. The flags of all the fifteen consulates were raised for the day. The minister of

foreign affairs of the Egyptian government also paid me his annual visit in honor of the occasion, during which he expressed his wishes for the permanence of our Union, and his opinion of the hopelessness of the cause of its domestic enemies. He appeared quite astonished at the magnitude and efficiency of our military operations.

At a dinner, given by the vice-consul in honor of the day, which was attended by the consul general of the kingdom of Italy and other distinguished residents of the city, the occasion was enthusiastically commemorated.

* * * * *

Respectfully, your obedient servant,

WM. S. THAYER,
U. S. Consul General for Egypt.

HON. W. H. SEWARD,
Secretary of State, Washington, D. C.

Cotton exported from Egypt during the last five years, 1856-'57-'58-'59-'60.

1856.	1857.	1858.	1859.	1860.
Cantars, 539,885.	Cantars, 490,968.	Cantars, 519,537.	Cantars, 502,645.	Cantars, 501,324.
Or bags of 2 cantars each, 269,942.	Or bags of 2 cantars each, 245,484.	Or bags of 2 cantars each, 259,768.	Or bags of 2 cantars each, 251,322.	Or bags of 2 cantars each, 250,662.
Or pressed bales of 4 cantars each, 134,971.	Or pressed bales of 4 cantars each, 122,742.	Or pressed bales of 4 cantars each, 129,864.	Or pressed bales of 4 cantars each, 125,661.	Or pressed bales of 4 cantars each, 125,331.

This year's crop is not yet known, it being still growing, and will be gathered about the months of September to December, although it is estimated to be equal to that of the preceding years.

ALEXANDRIA, EGYPT, July 15, 1861.

Mr. Seward to Mr. Thayer.

No. 3.]

DEPARTMENT OF STATE,
Washington, August 13, 1861.

SIR: I have received and have read with much interest your despatch of the 29th of June, (No. 3,) announcing your arrival in Egypt, and giving an account of your reception by the viceroy. Your remarks on that occasion, as well as your conduct throughout the imposing ceremonial, are approved, and the friendly feeling towards the United States manifested by his highness in your interview with him, and subsequently by his minister of foreign affairs, and by the consuls general representing other nations in Egypt, is very gratifying.

I am, sir, your obedient servant,

WM. H. SEWARD.

WILLIAM S. THAYER, Esq.,
Consul General of the United States, Alexandria, Egypt.



VENEZUELA.

Mr. Turpin to Mr. Seward.

[Extract.]

No. 45.]

LEGATION OF THE UNITED STATES,
Caracas, July 27, 1861.

SIR: * * * * * * * *

The President has promised me to issue instructions to all *comandantes de puerto* of the republic prohibiting admission of all vessels under that [the confedate] flag into its ports, except in cases of distress. I could not obtain from him their complete denunciation as pirates.

* * * * * * * *

I have the honor, &c.,

E. A. TURPIN.

Hon. WM. H. SEWARD, *Secretary of State.*



CHILI.

Mr. Bigler to Mr. Seward.

[Extract]

No. 136.]

LEGATION OF THE UNITED STATES,
Santiago de Chili, August 2, 1861.

Sir: I have the honor to enclose herewith, marked A, a copy of a note by me addressed to his excellency the secretary of foreign relations of Chili, dated July 31, 1861.

* * * * *
I have the honor to remain, very respectfully, your obedient servant,
JOHN BIGLER.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States.

A.

LEGATION OF THE UNITED STATES,
Santiago de Chili, July 31, 1861.

Sir: The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, has the honor to inform your excellency that, in consequence of the President of the so-called "Confederated States of America" having issued a proclamation announcing that he has been empowered and is prepared to issue letters of marque to all who are willing to enter the service of the said States as privateers, he, the undersigned, has been instructed by his government to be vigilant to the extent of his power to prevent vessels from being fitted out in the ports of Chili under the authority of the said "Confederated States." The government of the undersigned, denying the right of the States composing the so-called "Confederated States of America" to secede, as they have done, from the American Union, and maintaining that the people of the States which have so seceded still owe fealty to the Constitution and laws of the United States, has determined to enforce obedience thereto on the part of the whole people thereof, and has solemnly proclaimed and declared that any person who shall, "under the pretended authority of the Confederated States, or under any other pretence, molest a vessel of the United States, or the persons or cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy."

Information has recently been communicated to the undersigned of such a character and from such sources as to induce the belief on his part that there are now, or have very recently been, in Chili parties endeavoring to effect a purchase of munitions of war to be used in fitting out privateers for the service of the so-called "Confederated States of America."

Although the undersigned cannot vouch for the correctness of this informa-

tion, he can assure your excellency that he regards the same of sufficient importance, in view of the before-mentioned instructions of his government, to require him to inform your excellency thereof, and to very respectfully suggest to your excellency's government to adopt such measures as it may deem advisable to secure vigilance on the part of the proper officials to prevent the fitting out of privateers in the ports of Chili with a view of committing assaults upon the lives and property of citizens of his country engaged in lawful commerce.

In conclusion, the undersigned begs to add that he has directed inquiries to be made at the different ports in Chili, and that he will promptly impart to your excellency's government any important facts relating to the object of this note which may hereafter come to his knowledge.

The undersigned avails himself of this occasion to renew to your excellency assurances of his sincere respect and high consideration.

JOHN BIGLER.

His Excel'y the SECRETARY OF FOREIGN RELATIONS
Of the Republic of Chili.

Mr. Bigler to Mr. Seward.

[Extract.]

No. 138.]

LEGATION OF THE UNITED STATES,
Santiago de Chili, August 17, 1861.

SIR: "In my despatch, No. 136, dated August 2, 1861, I had the honor to enclose a copy of a note by me addressed to his excellency the secretary of foreign relations of Chili, inviting his attention to the instructions given me by my government, and also to rumors which had reached me concerning efforts making in the city of Valparaiso to obtain munitions of war to be used, as was feared, in fitting out privateers, under the authority of the so-called 'Confederate States of America.'

"I now have the honor to enclose herewith, marked A, a copy and translation of his excellency's reply to my note above alluded to, and which, as it is exceedingly cordial, and in every respect highly satisfactory, it is hoped will be read with care and pleasure by you."

I have the honor to remain, very respectfully, your obedient servant,
JOHN BIGLER.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States.

A.

Mr. Varas to Mr. Seward.

[Translation.]

L. S.]

SANTIAGO, August 7, 1861.

SIR: I have had the honor of reading the note dated the 31st ultimo, which your excellency was pleased to address me. In it your excellency

informs me that you have received instructions from your government to endeavor to impede, as far as your powers will permit, that in the ports of Chili privateers be armed for the service of the States which have recently declined to recognize the authority of the government of the Union, and have constituted themselves under a *de facto* government, with the title of Confederate States of America—instructions given to your excellency in consequence of a recent proclamation of the President of these States, wherein he announces that he is empowered and prepared to issue letters of marque.

At the same time your excellency informs me that you have recently received information inducing you to believe that there are at present, or recently have been, in Chili, persons endeavoring to purchase munitions of war, in order to employ the same in arming privateers for the service of the said Confederate States of America; and in view of this information your excellency signifies to me a desire that my government adopt such measures as it may deem expedient, in order to prevent the fitting out of such privateers in the ports of the republic.

I must assure your excellency, in reply, that my government, complying with the duties which it owes to a friendly state, is disposed to prevent preparations of warlike character, or any other operations hostile to the United States, from being effected in any port whatever of the territory of the republic; and that consequently the necessary orders will be given to the respective authorities to keep especial watch in this particular. However, as far as regards privateering expeditions which may prepare or arm themselves on the coasts of Chili, it might happen in many cases that the zeal and vigilance of the authorities might prove inefficacious to discover them; so that it is to be desired that whatever news your excellency might obtain on the subject, you would have the kindness to transmit the same to me, in order that I might, in view thereof, issue the most opportune instructions to frustrate the carrying out of such expeditions.

In the mean time will your excellency be pleased to accept the assurances of my distinguished consideration, with which I remain your excellency's most obedient servant,

ANTONIO VARAS.

The ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Of the United States of North America.

Mr. Bigler to Mr. Seward.

[Extract.]

No. 139.]

LEGATION OF THE UNITED STATES,
Santiago de Chili, September 2, 1861.

"Herewith I have the honor to enclose, marked A, a copy of a communication by me addressed to his excellency the secretary of foreign relations of this republic, under date of August 21, 1861, in acknowledgment of a note from his excellency, dated August 7, 1861, upon the subject of the suppression of rumored privateering expeditions, which note formed enclosure A in my despatch No. 138."

* * * *

I have the honor to remain, very respectfully, your obedient servant,
JOHN BIGLER.

Mr. Bigler to Mr. Varas.

LEGATION OF THE UNITED STATES,
Santiago de Chili, August 21, 1861.

SIR: The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, has the honor to acknowledge the receipt of your excellency's note, dated August 7, 1861, in reply to his note of the 31st ultimo, wherein your excellency is pleased to give assurances that the necessary orders will be transmitted to the respective authorities to prevent the making of preparations of war, or any other operations hostile to the United States, within the territory of the republic, and requesting the undersigned to transmit to your excellency any information which he may obtain of contemplated privateering operations, in order to facilitate the frustration of the objects of such expeditions.

The undersigned, in acknowledging the receipt of these eminently satisfactory assurances, which he most cordially appreciates, as will also his government, desires to state that any information upon the subject, of a definite character, which he may receive, will be immediately communicated to your excellency's government.

The undersigned avails himself of this occasion to renew to your excellency the earnest assurances of his distinguished consideration and respect.

JOHN BIGLER.

His Excellency the SECRETARY OF FOREIGN RELATIONS
Of the Republic of Chili.

HAWAIIAN ISLANDS.

Mr. Dryer to Mr. Seward.

[Extract.]

No. 4.] LEGATION OF THE UNITED STATES AT THE HAWAIIAN ISLANDS,
Honolulu, September 5, 1861

* * * * * *

I have not been able yet to obtain from the Hawaiian government such a proclamation as I desired upon the subject of privateering, or the permission to enter the ports of this kingdom of any suspicious vessels.

The King and a portion of his counsellors are sojourning on the island of Hawaii during the summer months. Copies of the President's proclamation in relation to blockade of southern ports, together with the despatches from the Department of State accompanying them, have been furnished to the minister of foreign relations, since which I have had several interviews with that minister relative to the policy of this government towards privateering, and the occupancy of their ports by privateering vessels or prizes which might be captured by them.

* * * * * *

No. 1.] LEGATION OF THE UNITED STATES AT THE HAWAIIAN ISLANDS,
Honolulu, July 24, 1861.

SIR: I have the honor to enclose herewith copies of two despatches from the Hon. William H. Seward, Secretary of State of the United States, and of two proclamations (April 19 and April 27, 1861) issued by his excellency Abraham Lincoln, President of the United States, announcing the blockade of the ports of several of the southern States, and making known that all persons acting under the pretended authority of the aforesaid southern States, or under any pretence whatever, who shall molest vessels of the United States or their cargoes, shall be considered and dealt with as pirates.

You will observe, by a perusal of the copy of Mr. Seward's despatch to me of the 20th April, 1861, that I am instructed to be vigilant in preventing aggressions upon American commerce by vessels or persons acting under the pretended authority mentioned.

To this end I would respectfully call your attention to the fact that the American clipper ship *Bald Eagle*, bound from San Francisco to China, with a large amount of treasure on board, having been chased, on her passage to this group, by a suspicious vessel, and to officially inquire of you what course his Hawaiian Majesty's government intends to pursue with regard to vessels of this description found frequenting the King's waters, or touching for supplies or repairs at any of the ports in his Majesty's dominions.

I have the honor to be, with great respect, your obedient servant,

THOMAS J. DRYER.

His Excellency R. C. WYLLIE,
His Hawaiian Majesty's Minister of Foreign Affairs, &c., &c., &c.

No. 1.]

DEPARTMENT OF FOREIGN AFFAIRS,
City of Honolulu, July 27, 1861.

SIR: I have the honor to acknowledge the receipt of your despatch of the 24th instant, with its four enclosures, which you did me the great favor of delivering personally, along with verbal explanations, for which I beg to thank you in the name of the King's government.

By your despatch and its enclosures I am informed that the honorable Secretary of State, William H. Seward, apprehensive lest, "under the pretended authority of the so-called Confederate States of America," privateers might be fitted out in the ports of this kingdom for the purpose of aggression on the commerce of the United States, instructed you, on the 20th of April last, to be vigilant in preventing any such unlawful purpose; to make known to the proper authorities of this government the proclamations issued by the President; impart to them all facts upon the subject which might come to your knowledge; and to ascertain from the King's government, officially, what course they intended to pursue with regard to vessels of that description frequenting the King's waters, or touching for supplies or repairs at any of the ports in his Majesty's dominions; all which instructions you carried out very fully, and with great courtesy, in your precited despatch, and in the facts, no less important to the United States than to this kingdom, which you were pleased to impart to me verbally on the occasion of its delivery.

In reply, I have the honor to refer you to the proclamation of the late King of 16th May, 1854, asserting his neutral rights within the whole extent of his jurisdiction, declaring all captures and seizures made within that jurisdiction to be unlawful, and prohibiting his subjects from engaging, either directly or indirectly, in privateering, under the penalty of being treated and punished as pirates; to the resolution of his late Majesty, in privy council of 15th June, 1854, prohibiting the sale of prizes within his jurisdiction, and to the resolution of his late Majesty, in privy council of the 17th July of the same year, prohibiting all privateers, and prizes made by them, from entering the ports of this kingdom, unless in such circumstances of distress that their exclusion would involve a sacrifice of life, and then only under special permission of the King, after proof to his Majesty's satisfaction of such circumstances of distress; copies of all which you will find in your archives, for they were duly passed at the time to the Hon. David L. Gregg for his own and the information of his government.

I have the honor to enclose copy of the reply of the honorable judges of the supreme court, dated yesterday, in reply to my letters to them of the 5th, 10th, 13th, and 24th instant, from which you will see that, in their opinion, the said proclamation and resolutions are in accordance with the rights of the King, and with his Majesty's duties as a neutral sovereign to the United States; and that under the same neither can privateers be fitted out in the ports of this kingdom, nor can its ports be used as a depot for the spoils or the prisoners made by privateers.

Therefore it only remains for me to make known to the King, who is at Kailua, your despatch and its enclosures, also the opinion of his Majesty's judges of the supreme court, and to suggest to his Majesty that he be pleased to issue a proclamation revalidating the aforesaid proclamation and resolutions, with an order that copies of such proclamation be published in the Polynesian, and served immediately by the pilots or harbor master upon any belligerent vessel that may appear in his Majesty's waters, until the conclusion of the civil war now unhappily devastating the United States.

You can assure the honorable Secretary of State of your government that

the King, knowing well his obligations and responsibilities to the United States under the law of nations and the existing treaty, will neglect no means to fulfil them to the utmost extent of his power ; but destitute as you know him to be of either army, navy, or forts, that power is only *moral*, and if armed vessels should enter his waters, disregarding alike his neutral rights and the law of nations, captures might be made within his jurisdiction contrary to his proclamation, and in spite of all the efforts that he could make to prevent them.

Therefore I repeat what I had the honor to state to you verbally, that in a port where many millions of value in American whalships, oil and bone, and in merchant vessels, are often to be found, and which might be captured or burnt by one strong privateer, in defiance of all the King's forces, it is of urgent necessity that Honolulu should not be left without the presence of a vessel-of-war of the United States of sufficient power to deter any such privateer from committing aggressions on the ships or property of the citizens of the United States within the King's jurisdiction. I was happy to understand from you that you had not neglected to make such a recommendation to your government.

In conclusion, let me assure you that in this and every other international matter it will afford me the utmost pleasure to confer and concert with you with all that frankness and confidence that, according to Martens and other publicists, ought to exist between a foreign representative and the minister of foreign affairs of the country to which he is accredited and sent ; but more especially be assured of the high respect and very distinguished consideration with which I have the honor to be, sir, your most obedient, humble servant,

R. C. WYLLIE.

HON. THOMAS J. DRYER, *Com'r of the United States to the Hawaiian Islands.*

COURT-HOUSE,
Honolulu, July 26, 1861.

SIR: I have the honor to receive your communications of the 1st, 10th, 13th, and 25th instant, and their enclosures. The justices of the supreme court have examined the proclamation issued by her Britannic Majesty the Queen, and also the proclamation issued by the President of the United States, issued in consequence of hostilities having arisen between the government of the United States and certain States styling themselves the Confederate States of America, together with the communication of the Secretary of State, Mr. Seward, and the commissioner of the United States at this court accompanying them.

Mr. Seward is apprehensive that efforts may be made to fit out privateers in our ports for the purpose of aggression on American commerce. To permit it would unquestionably be a breach of neutrality and in derogation of our duty; neither can our ports be used as a depot for the spoils or the prisoners of privateers.

We have also examined the proclamation issued in 1854 by his Majesty the King, proclaiming neutrality in the war then pending between the great maritime powers of Europe, and the resolutions of the privy council which accompanied it, and we are of opinion that similar declarations at this time will be in accordance with our rights and duties as neutrals.

I beg to return to you the enclosures which accompanied your communications.

I have the honor to be, sir, your most obedient servants,

ELISHA H. ALLEN.
G. M. ROBERTSON.

His Excellency R. C. WYLLIE, *Minister of Foreign Affairs*

Mr. Dryer to Mr. Seward.

No. 5.] LEGATION OF THE UNITED STATES AT THE HAWAIIAN ISLANDS,
Honolulu, September 7, 1861.

SIR: Since my despatch of the 5th September was closed and mailed, Mr. Wyllie has sent to this legation another draft of a proclamation of the King in relation to privateering, &c., &c. This is an improvement on the former one sent to me, and which I returned.

I have only time to make a copy, which please find enclosed, and which I send for the information of the government at Washington.

I am, sir, with great respect, your obedient servant,

THOMAS J. DRYER.

HON. WM. H. SEWARD,
Secretary of State, Washington.

Proclamation of Kamehameha IV, King of the Hawaiian Islands.

Be it known to all whom it may concern, that we, Kamehameha IV, King of the Hawaiian Islands, having been officially notified that hostilities are now unhappily pending between the government of the United States and certain States thereof, styling themselves "The Confederate States of America," hereby proclaim our neutrality between said contending parties.

That our neutrality is to be respected to the full extent of our jurisdiction, and that all captures and seizures made within the same are unlawful, and in violation of our rights as a sovereign.

And be it further known that we hereby strictly prohibit all our subjects, and all who reside or may be within our jurisdiction, from engaging, either directly or indirectly, in privateering against the shipping or commerce of either of the contending parties, or of rendering any aid to such enterprises whatever; and all persons so offending will be liable to the penalties imposed by the laws of nations, as well as by the laws of said States, and they will in nowise obtain any protection from us as against any penal consequences which they may incur.

Be it further known that no adjudication of prizes will be entertained within our jurisdiction, nor will the sale of goods or other property belonging to prizes be allowed.

Be it further known that the rights of asylum are not extended to the privateers or their prizes of either of the contending parties, excepting only in cases of distress or of compulsory delay by stress of weather or dangers of the sea, or in such cases as may be regulated by treaty stipulation.

Given at our marine residence of Kailua this 26th day of August, A. D. 1861, and the seventh of our reign.

KAMEHAMEHA.

By the King.

KAAHUMANU.

By the King and Kuhina Nui.

R. C. WYLLIE.

JAPAN.

Mr. Harris to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 9, 1861.

SIR: It is my unpleasant duty to inform you that a daring and murderous attack was made on the British legation in this city on the night of the 5th instant.

Mr. Alcock providentially escaped uninjured, but Mr. Oliphant, secretary of legation, and Mr. Morrison, consul for Nagasaki, were wounded. Four of the assailants were killed, and two wounded were made prisoners. Of the Japanese defenders of Mr. Alcock three were killed and fifteen wounded.

For full details of this bloody affair I beg to refer you to the following enclosures:

No. 1, Mr. Alcock to Mr. Harris, July 6.

No. 2, Mr. Harris to the ministers for foreign affairs, July 8.

No. 3, Mr. Harris to Mr. Alcock, July 8.

No. 4, Mr. Alcock to Mr. Harris, July 8.

The Japanese were evidently taken by surprise, but they soon recovered from it and fought with great bravery, and at last beat off the assailants.

This is the first instance in which a blow has been struck in defence of a foreigner in this country, and may be considered as proof of the desire of this government to give us protection.

I consider the present as a crisis in the foreign affairs of Japan, for if the government is too weak to punish the instigators and agents of this nefarious affair, it may be believed that it will lead to some very decided action on the part of the English government, for the outrage was too great to be overlooked.

There is a party in this country who are opposed to the presence of any foreigners in Japan, and, in addition to this, there is a very strong dislike to the English in particular, which feeling seems to attach especially to Mr. Alcock. He was absent from this city for some three months, during which time the utmost quiet prevailed; yet within thirty-six hours after his return the attack in question was made on him.

I am happy to say that these prejudices do not extend to our citizens in this country, and I think that I am personally popular among all classes of the Japanese. Yet it must not be concealed from you that I am, in common with my colleagues, subject to the same unpopularity that attaches to the presence of all foreigners in Japan.

I have requested the ministers for foreign affairs to give me an interview on the 11th instant, and I shall then endeavor to place before them, in a forcible manner, the great danger that will arise from any want of firm action on their part at this juncture.

I have the honor to be, very respectfully, your obedient servant,
TOWNSEND HARRIS,
Minister Resident.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Alcock to Mr. Harris.

HER MAJESTY'S LEGATION,
Yedo, July 6, 1861.

SIR : Last night between eleven and twelve o'clock the British legation was suddenly attacked, and an entrance effected at several points simultaneously by armed bands of Japanese, said to be Loonins, and by others, Prince of Mito's men. Two of the members of the establishment, Mr. Oliphant and Mr. Morrison, were met in a passage and both wounded ; the first, I am sorry to say, very severely, when a momentary diversion was effected by a shot from Mr. Morrison's revolver, which appears to have taken effect. A few minutes later the same or another division of the assassins sought to effect an entrance to the apartments occupied by myself, by breaking through and hacking in pieces some glass doors opening into another suite, having mistaken their way. To this alone, under Providence, we probably owe our lives, for several minutes were thus lost to them ; at the end of which the Yaconins or Dainios guards appeared to have come to the spot, and the assailants were finally driven out of the house, after having penetrated into nearly every room except my own, leaving traces of their presence by slashing at all the beds and furniture. Marks of blood were found in various directions, and a prolonged conflict took place outside, in the avenue and approaches to the legation, with the officers and men on service.

Such a deed of atrocity, perpetrated in the capital of a government to which foreign representatives are accredited by the western powers, needs no comment. I only feel it a duty to communicate to my colleagues the facts for their guidance and information, and to acquaint them that, as a temporary measure, I have ordered up her Majesty's ship "Ringdove," and caused a guard of men to be landed. What measures it may be expedient to adopt for future security of this and the other legations in Yedo, and the maintenance of those international rights and immunities so grievously attacked, becomes a serious consideration, and one the pressing importance of which cannot well be overlooked. But on this part of the subject I shall be glad to enter into further communication with you and the rest of my colleagues, should you feel disposed to favor me with your views.

I have the honor to be, sir, your most obedient humble servant,
RUTHERFORD ALCOCK,
*Her Britannic Majesty's Envoy Extraordinary and Minister
Plenipotentiary in Japan.*

TOWNSEND HARRIS, Esq.,
Resident Minister of the United States in Japan.

Mr. T. Harris to the Ministers for Foreign Affairs of Japan.

No. 70.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 8, 1861.

I am informed by Mr. Alcock, the British envoy, that an attempt was made on the night of the 5th instant to assassinate him and the persons attached to the British legation in this city. I am further informed that the house was broken into at the same moment of time in three different places ;

and that, during the contest, two persons in her Britannic Majesty's service were wounded.

This makes the seventh attack on foreigners within the period of two years; and in five of the attempts murder was committed. Up to this day not one person has been punished for these atrocious crimes. You have frequently assured me that you were making constant efforts to arrest these criminals, but that you were unable to discover them.

In the present case evidence is in your possession to enable you to arrest the persons concerned in the last atrocious attempt at murder, for you have made a prisoner of one of the men, and you have a pocket-book found on the ground which contains a list of the names of fourteen of the party; and these two sources of evidence will enable you to arrest and bring to condign punishment the whole of the gang. I feel it my duty to say to you that, in my opinion, your failure to arrest and punish the perpetrators of previous criminal acts has encouraged the present horrible attempt to take the life of Mr. Alcock.

I have given you too many evidences of my friendship for you to doubt my good will; and as your friend, who earnestly wishes to see Japan peaceful, prosperous, and happy, I now say to you, that if you do not promptly arrest and punish the authors of this last deed of blood, that the most lamentable consequences to your country will inevitably ensue; for if you do not punish these men, it will show that you do not wish to do so. I urge you earnestly to consider this friendly and serious warning.

I propose to have an interview with you in a few days, at which time I will enter more largely into details than I can do in a letter.

Stated with respect and courtesy.

TOWNSEND HARRIS,

Minister Resident of the United States in Japan.

Their Excellencies KUDSI YAMATO NOKAMI and ANDO FUSIMA NOKAMI,
Ministers for Foreign Affairs, &c., &c., &c., Yedo.

Mr Harris to Mr. Alcock.

No. 71.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 8, 1861.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th instant, giving me the particulars of an attack made the previous night, by a band of Japanese assassins, on her Britannic Majesty's legation, and informing me that Mr. Oliphant, secretary of her Britannic Majesty's legation, and Mr. Morrison, consul for Nagasaki, were wounded in the melee which ensued, and adding the gratifying intelligence that you had, providentially, escaped any bodily injury.

I cannot conceal from you the horror and indignation which the atrocious attempt on your life excites in my mind, exceeding, as it does, in the boldness of its design and in the extent of its intended slaughter, all previous essays of the kind.

In the nineteen months that followed the residence of the foreign representatives in this city, six distinct outrages were perpetrated on the persons of foreigners. Yet, up to this day, not one of the persons engaged in those criminal acts has been made to answer for his crime. The Japanese ministers have reiterated the assurance of their anxious desire to arrest and punish the

offenders in question, but have declared their inability to identify them. In the present case no such plea can be set up, for two of your assailants are prisoners, and a pocket-book found on the ground near your legation contains a list of fourteen of the gang. With these two sources of information in their possession, there cannot be any difficulty in ascertaining the names of the whole band, and their consequent arrest and punishment.

Should this government fail in its duty in the present case, it will be almost conclusive that it is either unable or unwilling to give us that protection which the punishment of crime would secure by the repression of criminal designs, and it will then become a matter of serious consideration what line of conduct should be adopted to secure to us those rights which we have guaranteed to us by our solemn treaty stipulations.

I have addressed a letter to the Japanese ministers for foreign affairs in the sense of the foregoing, and I have pointedly shown them that any failure on their part at the present crisis will greatly endanger the peace of their country.

I propose to have an interview with the ministers in this behalf, when I intend to urge upon them the necessity that exists for their action in this matter.

In this connexion I beg to say that if you intend to have an interview with the ministers shortly, I will defer mine until after yours has taken place.

I renew to you my cordial congratulations on your truly providential escape from a daring and almost successful attempt on your life.

I have the honor to be, sir, your most obedient humble servant,

TOWNSEND HARRIS,

Minister resident of the United States in Japan.

RUTHERFORD ALCOCK, Esq., C. B.,

Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Yedo.

Mr. Alcock to Mr. Harris.

No. 37.]

HER MAJESTY'S LEGATION,
Yedo, July 8, 1861.

SIR: I have to thank you for the congratulations of escape from the assassins, conveyed in your letter of this date, and the expression of your views upon the present conjuncture, in which I am glad to say there is a general accordance with my own.

If there be any divergence, it is in the absence of all hope on my part that the Japanese government will behave otherwise on this than on every former occasion of the like nature. They have shown great supineness and indifference hitherto, and appear wholly unconscious of the gravity of the circumstances and the atrocious nature of the outrage offered to the flag.

I had proposed seeing the ministers to-morrow, but since the event of the 5th I have thought it better to wait an answer to a letter which I addressed them, urging them to give such full satisfaction as should relieve them of all charge of complicity or indifference.

I expect Admiral Hope here also in a few days, which may further induce me to postpone an interview. If you wish to see the ministers, therefore, I beg I may not be a cause of delay.

I have the honor to be, sir, your most obedient humble servant,

RUTHERFORD ALCOCK,

Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.

TOWNSEND HARRIS, Esq., &c., &c., &c.,

United States Legation, Yedo.

Mr. Seward to Mr. Harris.

No. 23.]

DEPARTMENT OF STATE,
Washington, October 21, 1861.

SIR: Your despatch of the 9th of July (No. 28) has been received.

The assaults committed upon the minister of Great Britain and the other members of that legation, in violation of express treaty, of the laws of nations, and of the principles of common humanity, have excited a deep concern on the part of the President.

Your prompt, earnest, and decided proceedings in aid of the just desire of her Britannic Majesty's minister to obtain adequate satisfaction for that outrage meet his emphatic approval. I have lost no time in assuring the British government directly of the willingness of the United States to co-operate with it in any judicious measure it may suggest to insure safety hereafter to diplomatic and consular representatives of the western powers in Japan, with due respect to the sovereignties in whose behalf their exposure to such grave perils is incurred.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

TOWNSEND HARRIS, Esq., &c., &c., &c., *Yedo.*



REPORT OF THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, *November 30, 1861.*

SIR: The report of the operations of this department during the fiscal year ending June 30, 1861, will exhibit a diminished amount of business in some of the most important bureaus connected with the department. This is attributable mainly to the insurrection which has suddenly precipitated the country into a civil war.

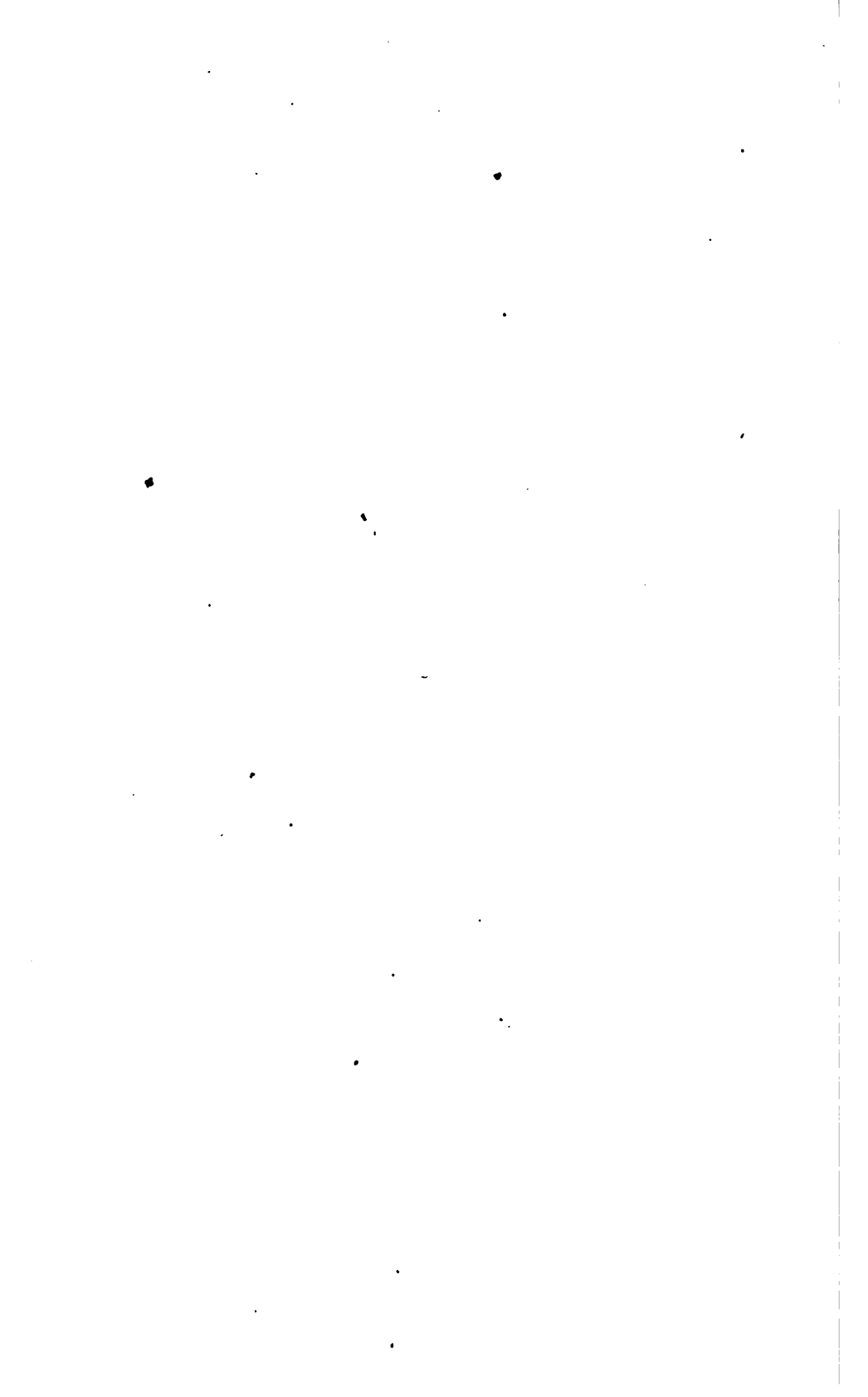
GENERAL LAND OFFICE.

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In all the northern States in which any of the public lands are situated the war has almost entirely suspended sales. The demand for volunteers has called into the ranks of the army a large number of that portion of our people whose energy and enterprise in time of peace incline them to emigrate to the west and settle upon the public lands, thus laying the foundations of future prosperous communities and States. Besides, the ordinary channels of trade and commerce have been so obstructed by the war that the sources of income, from which the settlers upon the public lands have realized the means of purchasing, have been greatly diminished.

On the 30th September, 1861, there were 55,555,595.25 acres of the public lands which had been surveyed but not proclaimed for public sale. The lands surveyed and offered at public sale previous to that time, and then subject to private entry, amounted to 78,662,735.64 acres, making an aggregate of public lands surveyed and ready for sale of 134,218,330.89 acres.

Since the last annual report of this department no proclamation for a public sale of lands has been made, as the quantity already subject to private entry is more than sufficient to meet the wants of the country. During the fiscal year ending 30th June, 1861, and the first quarter of the current year, ending 30th September, 1861, 5,289,532.31 acres have been disposed of. Of this amount 1,021,493.77 acres have been certified to the States of Minnesota, Michigan, and Louisiana, under railroad grants made by Congress; 606,094.47 acres have been certified to States as swamp lands; 2,153,940 acres have been located with bounty land warrants, and 1,508,004.07 acres have been sold for cash, producing \$925,299 42.



to the volunteers. These warrants are now sold in the market at about fifty cents per acre. An addition of the large amount necessary to supply the volunteers would necessarily reduce the price of them to a merely nominal sum.

The bounty of the government, dispensed to the volunteers in this form, would fail to realize to them the advantages intended. All the best lands would fall into the hands of speculators, who would be enabled to purchase them at a nominal price and sell them to settlers at full prices as fast as emigration to the west would require them for settlement. If additional compensation to the volunteers, beyond the amount now authorized by law, shall be deemed just and proper, it will be better both for the government and the volunteers to make such compensation by a direct appropriation of money, or of government securities. This would give them the full benefit of the appropriations made, while the government would, by keeping the lands until they shall be demanded for settlement, realize their full value.

The expense of surveying private land claims in the territory acquired from Mexico, based upon grants of the Mexican government, have heretofore been paid by the United States. These surveys have cost the government large sums. The cost of surveying one claim amounted to twenty-two hundred dollars; another cost the government fourteen hundred dollars. The aggregate cost of surveying them has taken from the treasury a large amount of the public funds. No valid reason exists, in my judgment, for taxing the government with the cost of these surveys. There is no obligation resting upon the United States to ascertain and define the boundaries of grants made by Mexico to individuals previous to the cession of the territory. The claimant realizes all the benefit and should be charged with the expenses of defining the boundary of his claim. The surveys should be made under the authority of the United States, but the cost of the survey should be paid by the claimants, and patents for the land should be withheld until the expenses of the survey are paid.

The valuable and extensive mineral lands owned by the government in California and New Mexico have hitherto produced no revenue. All who chose to do so have been permitted to work them without limitation. It is believed that no other government owning valuable mineral lands has ever refused to avail itself of the opportunity of deriving a revenue from the privilege of mining such lands. They are the property of the whole people, and it would be obviously just and proper to require those who reap the advantages of mining them to pay a reasonable amount as a consideration for the advantages enjoyed.

The territorial governments of Colorado, Dakota, and Nevada have been successfully organized since the adjournment of the last Congress. The surveys of the public lands in those Territories have already been commenced, and the lands are now open for settlement. The productiveness of the soil and the mineral wealth of those Territories, with the advantages of legally organized governments, will

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The bounty land warrants and scrip issued under different acts of Congress, previous to September 30, 1861, embrace an aggregate of 71,717,172 acres of land. Of this amount there have been located: For revolutionary services, 8,200,612 acres; for services in the war with Great Britain, 4,850,120 acres; for Canadian volunteers, 72,750 acres; for services in the Mexican war and other services, under the acts of 1847, 1850, 1852, and 1855, in all 51,138,970 acres; leaving yet to be located on warrants and scrip, already issued, 7,454,720 acres.

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doubtless invite a large immigration to them as soon as the termination of the war shall restore to civil employments that portion of our people now under arms.

Congress, by an act passed May 26, 1860, authorized the appointment by the President "of a suitable person or persons" who should, in conjunction with persons to be appointed on behalf of the State of California, "run and mark the boundary lines between the Territories of the United States and the State of California." Fifty-five thousand dollars was appropriated for the performance of the work. Sylvester Mowry was appointed a commissioner on the part of the United States, and the sum of \$37,551 19 was placed at his disposal for the prosecution of the work.

Very soon after taking charge of the department, I ascertained that the whole sum which had been placed in the hands of the commissioner had been disposed of by him, and a large amount of drafts for additional sums had been drawn upon the department, while no progress had been made in the work beyond the fixing of one of three initial points, viz: the intersection of the 35th parallel of north latitude with the Colorado river. The whole appropriation had been squandered, while the work had been only commenced. Under these circumstances I deemed it to be my duty to arrest the creation of further claims against the government without authority of law, and accordingly directed the suspension of the work and a discontinuance of the services of the commissioner. It is believed that the whole work might have been completed for the sum appropriated by Congress; but while only a small part of the work has been accomplished, the claims presented amount to nearly \$20,000 beyond the appropriation. It remains for Congress to determine whether further appropriations shall be made for the continuance of the work.

The running of the boundary lines between the Territories of the United States and the State of Texas, authorized by the act of Congress of June 5, 1858, has been completed in the field, and the office details will in a short time be finished. For this work \$80,000 was appropriated. Of this sum \$73,250 81 had been expended on the 30th September, 1861, leaving an unexpended balance of \$6,749 19. This balance is estimated to be sufficient for the completion of the entire work.

For more detailed information in regard to the operations of the General Land Office, reference is made to the able and elaborate report of the Commissioner.

INDIAN AFFAIRS.

Our Indian affairs are in a very unsettled and unsatisfactory condition.

The spirit of rebellion against the authority of the government, which has precipitated a large number of States into open revolt, has been instilled into a portion of the Indian tribes by emissaries from the insurrectionary States.

The large tribes of Cherokees, Chickasaws, and Choctaws, situated

in the southern superintendency, have suspended all intercourse with the agents of the United States.

The superintendent and agents appointed since the 4th of March last have been unable to reach their posts or to hold any intercourse with the tribes under their charge. The superintendent and some, if not all, of the agents of the southern superintendency, who were in office on the 4th of March, have assumed an attitude of revolt to the United States, and have instigated the Indians to acts of hostility. Some of these, who lately held their offices under the United States, now claim to exercise the same authority by virtue of commissions from the pretended confederate government.

Although the Indian Office has not been able to procure definite information of the condition of affairs, and of the extent to which the Indians have assumed a hostile attitude, enough has been ascertained to leave no room for doubt that the influences which have been exerted upon the Indians have been sufficient to induce a portion of them to renounce the authority of the United States and to acknowledge that of the rebel government.

It has been currently reported through the press that a portion of them have been organized as a military force, and are in arms with the rebels; but the department has no official information confirming these rumors.

The hostile attitude assumed by portions of the tribes referred to, has resulted from their fears, produced by violence and threats of emissaries sent among them, and the withdrawal from their vicinity of the troops of the United States, whose presence would have afforded a guarantee of protection. It is unfortunate that the War Department has been unable to send to that region such a body of troops as would be adequate to the protection of those tribes, and revive their confidence in the ability as well as the will of the United States to comply with their treaty stipulations. Cut off from all intercourse with loyal citizens; surrounded by emissaries from the rebels, who represented that the government of the United States was destroyed, and who promised that the rebel government would assume the obligations of the United States and pay their annuities; assailed by threats of violence, and seeing around them no evidence of the power of the United States to protect them, it is not surprising that their loyalty was unable to resist such influences. Many white men of far greater intelligence have joined the insurrectionists against their own convictions of right, under much less pressure.

We have reason to believe that as soon as the United States shall re-establish their authority in the Indian country, and shall send there a sufficient force for the protection of the tribes, they will renounce all connexion with the rebel government and resume their former relations with the United States.

The payment of their annuities has been suspended. The Commissioner of Indian Affairs expresses the opinion, in which I concur, that Congress should make the usual appropriations to comply with the treaty stipulations of the United States, that the means may exist

to pay them, if circumstances and the condition of the tribes shall hereafter render it proper and expedient to do so.

The tribes upon the Pacific slope of the Rocky mountains have manifested a turbulent spirit, but have committed no acts of violence. With vigilance on the part of the agents it is hoped they may be restrained from depredations upon the white settlers, and be gradually brought under the control of the laws of the United States.

Much trouble has been experienced in New Mexico from depredations committed by some of the tribes in that Territory. The withdrawal of the troops of the United States has encouraged them to acts of violence, while the active interference of disloyal persons from Texas has induced them to disregard the laws and authority of the government. The presence of a military force in that Territory is indispensable to preserve the peace and cause the Indians to respect the laws.

The tribes in Kansas and Nebraska, and in the States of the north-west, are gradually progressing in the arts of civilization. The plan of allotting portions of their reservations to the individual members of the tribes has been found by experience to result beneficially. Many of them have improved their lands and become quite proficient as farmers. A continuance of this policy, by familiarizing them with the habits of agricultural life, will gradually lead them to depend upon the cultivation of the soil for subsistence.

The report of the Commissioner of Indian Affairs, which is herewith submitted, furnishes full information in regard to the several tribes, and suggests in detail such matters as require the action of Congress.

The practice of licensing traders to traffic with the Indians, has been productive of mischievous results. The money received by them in payment of their annuities, generally passes immediately into the hands of the traders. The Indians purchase goods of the traders upon a credit, to be paid for upon the receipt of their next annuity. When the payment is due, the debts of the Indians are usually sufficient to absorb the whole amount. But, if anything is left after the payment of their debts, it is used for new purchases from the traders. The result of this system of trade is that the Indians pay for the goods they purchase, much more than they are worth. But this is not the only evil resulting from it. When a treaty is made, a large array of debts is presented, and provision usually made in the treaty for their payment. Witnesses are produced who establish the debts by evidence, which cannot be contradicted by any available proof, sufficient to absorb most of the proceeds of their lands. They are left to depend upon their annuities from the government for subsistence, and these find their way into the hands of the traders, while the Indians receive from them goods at a profit of from one to three or four hundred per cent.

It is apparent to all acquainted with Indians, that they are incompetent to manage their own business, or to protect their rights in their intercourse with the white race. It is the duty of the government to shield them from the arts of designing men, and to see

that they realize the full benefit of the annuities to which they are entitled. This can only be accomplished by breaking up the whole system of Indian trading. The power granted to agents to license persons to trade with the Indians should be revoked. All contracts made with them, and all obligations for goods or other property sold to them, should be declared utterly void. All future treaties should provide for the payment of their annuities in goods and agricultural implements, at the lowest prices at which they can be procured by the government. The department should be authorized to procure the consent of the tribes, with which treaties exist providing for the payment of cash annuities, that it shall furnish them with such goods and agricultural implements as their wants require, at the wholesale prices of such articles in the best markets, in lieu of the cash annuities provided for in the treaties.

By such a change the Indians would avoid the payment of profits which are now paid to the traders, and would realize a much larger amount in goods for their annuities than they now receive.

PATENT OFFICE.

No branch of the public service connected with this department has been so much affected by the insurrection of the southern States as that of the Patent Office.

The receipts of the office from January 1 to September 30, 1861, were \$102,808 18; and the expenditures were \$185,594 05, showing an excess of expenditures over receipts of \$82,785 87.

During the corresponding period of the last year the receipts were \$197,348 40, being \$94,840 22 more than the receipts for the same part of this year. During the same period 3,514 applications for patents and 519 caveats have been filed, 2,581 patents have been issued, and 15 patents have been extended.

To meet this deficiency in the income of the office, the commissioner, with the concurrence of the department, has reduced the clerical and examining force by the discharge of thirty of the employés, and reduced the grade of the remainder in order to lessen their compensation. By this reduction it is believed by the commissioner that the expenditures will be brought within the receipts.

The expenses of the office have been increased during the present year by the printing of the drawings and specifications authorized by the 14th section of the act of March 2, 1861. The Commissioner contracted for the printing in conformity with the law, and the work was executed in a satisfactory manner until the 1st of November, when, in consequence of the decline in the receipts of the office, it was discontinued.

The printing of the drawings and specifications of patents, in the manner in which it has been done under the law of March last, would unquestionably be of great service to the office, as well as to all interested in its business, and should, if possible, be continued. Although the expenses of the Patent Office have been increased by this printing, a saving of a larger amount has been effected to the

treasury. The mechanical reports of the Patent Office have heretofore been printed at the expense of the government. These reports consist of extracts from the specifications of the patents issued, giving a brief and general description of the improvements or inventions for which the patents were issued. They possess no interest for the general reader, while they are too brief to be of service to mechanics or inventors. The plates for the Mechanical Report of 1860 cost the government \$47,398 21—a sum greater than the entire cost of printing provided for by the law of March last. The cost of paper, printing, and binding was probably as much more, while the work was without practical value. The printing of the drawings and specifications, as provided for by the law of March last, will render unnecessary the printing the mechanical reports, and save the expense heretofore incurred for their publication.

Several amendments to the law of March last are proposed by the Commissioner of Patents, which would doubtless render it more effective, and they are recommended to the favorable consideration of Congress.

The law regulating copy-rights should be amended to effect the objects contemplated by Congress.

The act of February 3, 1851, authorizes the clerks of the United States district courts to grant copy-rights, and requires the author to deposit a copy of his work with the clerk. The clerks are required to send to the Department of the Interior all such copies deposited in their offices. This duty is very imperfectly performed. Probably not more than half the books, maps, charts, and musical compositions which are copy-righted are deposited in this department, as required by law.

The object of collecting in one library copies of all the copy-righted literary productions of the country is thus defeated. To secure this object an amendment of the law is recommended which shall give the sole power of granting copy-rights to the Commissioner of Patents, and require from every applicant the payment of a fee of one dollar and a deposit in the Patent Office of a copy of the work to be copy-righted.

PENSION OFFICE.

The report of the Commissioner of Pensions furnishes, in detail, the operations of this bureau during the past year. The number of pensions has diminished, during the year, five hundred and seventy-five, and the amount required to pay them was \$43,246 87 less than the previous year.

The whole number of pensioners, of all classes, on the rolls on the 30th of June, 1861, was 10,709, requiring for their payment an aggregate of \$957,772 08.

They were classified as follows: 4,725 invalid pensioners, receiving \$425,256 02; 63 revolutionary pensioners, receiving \$3,690 85; 2,728 widows of revolutionary soldiers, receiving \$212,548 36; 2,236

widows and orphans, half-pay, receiving \$178,672; 957 navy pensioners, receiving \$137,604 85.

The casualties of the conflict in which the government is now engaged, will increase the list of pensioners very largely. The amount of the increase cannot be estimated, as it will depend upon the duration of the war. The large amount of business which will necessarily be thrown upon the office from this cause will render an increase of the clerical force employed indispensable.

The Commissioner of Pensions, with the concurrence of the department, has construed the pension laws now in force as authorizing the granting of pensions to invalids and the widows and children of deceased soldiers who have been killed or wounded in the existing insurrection. If this construction of the laws should be deemed improper, the corrective is with Congress.

It has been ascertained that many of those who have been placed upon the pension rolls in the insurrectionary States have attached themselves to the rebel cause, and have taken up arms against the government. I have deemed it my duty in all such cases to direct a suspension of the payment of the pensions awarded to them. I have also directed a suspension of payment to all pensioners in any of the States who have in any manner encouraged the rebels, or manifested a sympathy with their cause.

It is respectfully suggested that Congress should authorize this department to cause the names of all such persons to be stricken from the pension rolls.

EIGHTH CENSUS.

The returns of the Eighth Census are being condensed for publication, with all the expedition practicable in a work of such magnitude and varied and comprehensive details.

The report which the Superintendent of that work will be prepared to make during the present Congress, will confirm the general belief, that no previous period of our history has been distinguished by greater prosperity or evidences of more substantial progress in all the material interests effecting the welfare and happiness of a people.

In this connexion I feel constrained to recommend the establishment of a Bureau of Agriculture and Statistics, the need whereof is not only realized by the heads of department, but is felt by every intelligent legislator.

The maintenance of such a bureau, on a respectable footing, by a different arrangement of offices which at present exist on a basis too contracted for extensive usefulness, would be attended with no expense to the government additional to that incident to the present organization of the departments, while the advantages gained to the public service would be incalculable. One of the objects contemplated by Congress in the appropriations for the promotion of agriculture was the "collection of agricultural statistics." Correct reports from every portion of the country exhibiting the peculiarities



REPORT OF THE SECRETARY OF THE INTERIOR.

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to the volunteers. These warrants are now sold in the market at about fifty cents per acre. An addition of the large amount necessary to supply the volunteers would necessarily reduce the price of them to a merely nominal sum.

The bounty of the government, dispensed to the volunteers in this form, would fail to realize to them the advantages intended. All the best lands would fall into the hands of speculators, who would be enabled to purchase them at a nominal price and sell them to settlers at full prices as fast as emigration to the west would require them for settlement. If additional compensation to the volunteers, beyond the amount now authorized by law, shall be deemed just and proper, it will be better both for the government and the volunteers to make such compensation by a direct appropriation of money, or of government securities. This would give them the full benefit of the appropriations made, while the government would, by keeping the lands until they shall be demanded for settlement, realize their full value.

The expense of surveying private land claims in the territory acquired from Mexico, based upon grants of the Mexican government, have heretofore been paid by the United States. These surveys have cost the government large sums. The cost of surveying one claim amounted to twenty-two hundred dollars; another cost the government fourteen hundred dollars. The aggregate cost of surveying them has taken from the treasury a large amount of the public funds. No valid reason exists, in my judgment, for taxing the government with the cost of these surveys. There is no obligation resting upon the United States to ascertain and define the boundaries of grants made by Mexico to individuals previous to the cession of the territory. The claimant realizes all the benefit and should be charged with the expenses of defining the boundary of his claim. The surveys should be made under the authority of the United States, but the cost of the survey should be paid by the claimants, and patents for the land should be withheld until the expenses of the survey are paid.

The valuable and extensive mineral lands owned by the government in California and New Mexico have hitherto produced no revenue. All who chose to do so have been permitted to work them without limitation. It is believed that no other government owning valuable mineral lands has ever refused to avail itself of the opportunity of deriving a revenue from the privilege of mining such lands. They are the property of the whole people, and it would be obviously just and proper to require those who reap the advantages of mining them to pay a reasonable amount as a consideration for the advantages enjoyed.

The territorial governments of Colorado, Dakota, and Nevada have been successfully organized since the adjournment of the last Congress. The surveys of the public lands in those Territories have already been commenced, and the lands are now open for settlement. The productiveness of the soil and the mineral wealth of those Territories, with the advantages of legally organized governments, will

doubtless invite a large immigration to them as soon as the termination of the war shall restore to civil employments that portion of our people now under arms.

Congress, by an act passed May 26, 1860, authorized the appointment by the President "of a suitable person or persons" who should, in conjunction with persons to be appointed on behalf of the State of California, "run and mark the boundary lines between the Territories of the United States and the State of California." Fifty-five thousand dollars was appropriated for the performance of the work. Sylvester Mowry was appointed a commissioner on the part of the United States, and the sum of \$37,551 19 was placed at his disposal for the prosecution of the work.

Very soon after taking charge of the department, I ascertained that the whole sum which had been placed in the hands of the commissioner had been disposed of by him, and a large amount of drafts for additional sums had been drawn upon the department, while no progress had been made in the work beyond the fixing of one of three initial points, viz: the intersection of the 35th parallel of north latitude with the Colorado river. The whole appropriation had been squandered, while the work had been only commenced. Under these circumstances I deemed it to be my duty to arrest the creation of further claims against the government without authority of law, and accordingly directed the suspension of the work and a discontinuance of the services of the commissioner. It is believed that the whole work might have been completed for the sum appropriated by Congress; but while only a small part of the work has been accomplished, the claims presented amount to nearly \$20,000 beyond the appropriation. It remains for Congress to determine whether further appropriations shall be made for the continuance of the work.

The running of the boundary lines between the Territories of the United States and the State of Texas, authorized by the act of Congress of June 5, 1858, has been completed in the field, and the office details will in a short time be finished. For this work \$80,000 was appropriated. Of this sum \$73,250 81 had been expended on the 30th September, 1861, leaving an unexpended balance of \$6,749 19. This balance is estimated to be sufficient for the completion of the entire work.

For more detailed information in regard to the operations of the General Land Office, reference is made to the able and elaborate report of the Commissioner.

INDIAN AFFAIRS.

Our Indian affairs are in a very unsettled and unsatisfactory condition.

The spirit of rebellion against the authority of the government, which has precipitated a large number of States into open revolt, has been instilled into a portion of the Indian tribes by emissaries from the insurrectionary States.

The large tribes of Cherokees, Chickasaws, and Choctaws, situated

in the southern superintendency, have suspended all intercourse with the agents of the United States.

The superintendent and agents appointed since the 4th of March last have been unable to reach their posts or to hold any intercourse with the tribes under their charge. The superintendent and some, if not all, of the agents of the southern superintendency, who were in office on the 4th of March, have assumed an attitude of revolt to the United States, and have instigated the Indians to acts of hostility. Some of these, who lately held their offices under the United States, now claim to exercise the same authority by virtue of commissions from the pretended confederate government.

Although the Indian Office has not been able to procure definite information of the condition of affairs, and of the extent to which the Indians have assumed a hostile attitude, enough has been ascertained to leave no room for doubt that the influences which have been exerted upon the Indians have been sufficient to induce a portion of them to renounce the authority of the United States and to acknowledge that of the rebel government.

It has been currently reported through the press that a portion of them have been organized as a military force, and are in arms with the rebels; but the department has no official information confirming these rumors.

The hostile attitude assumed by portions of the tribes referred to, has resulted from their fears, produced by violence and threats of emissaries sent among them, and the withdrawal from their vicinity of the troops of the United States, whose presence would have afforded a guarantee of protection. It is unfortunate that the War Department has been unable to send to that region such a body of troops as would be adequate to the protection of those tribes, and revive their confidence in the ability as well as the will of the United States to comply with their treaty stipulations. Cut off from all intercourse with loyal citizens; surrounded by emissaries from the rebels, who represented that the government of the United States was destroyed, and who promised that the rebel government would assume the obligations of the United States and pay their annuities; assailed by threats of violence, and seeing around them no evidence of the power of the United States to protect them, it is not surprising that their loyalty was unable to resist such influences. Many white men of far greater intelligence have joined the insurrectionists against their own convictions of right, under much less pressure.

We have reason to believe that as soon as the United States shall re-establish their authority in the Indian country, and shall send there a sufficient force for the protection of the tribes, they will renounce all connexion with the rebel government and resume their former relations with the United States.

The payment of their annuities has been suspended. The Commissioner of Indian Affairs expresses the opinion, in which I concur, that Congress should make the usual appropriations to comply with the treaty stipulations of the United States, that the means may exist

to pay them, if circumstances and the condition of the tribes shall hereafter render it proper and expedient to do so.

The tribes upon the Pacific slope of the Rocky mountains have manifested a turbulent spirit, but have committed no acts of violence. With vigilance on the part of the agents it is hoped they may be restrained from depredations upon the white settlers, and be gradually brought under the control of the laws of the United States.

Much trouble has been experienced in New Mexico from depredations committed by some of the tribes in that Territory. The withdrawal of the troops of the United States has encouraged them to acts of violence, while the active interference of disloyal persons from Texas has induced them to disregard the laws and authority of the government. The presence of a military force in that Territory is indispensable to preserve the peace and cause the Indians to respect the laws.

The tribes in Kansas and Nebraska, and in the States of the northwest, are gradually progressing in the arts of civilization. The plan of allotting portions of their reservations to the individual members of the tribes has been found by experience to result beneficially. Many of them have improved their lands and become quite proficient as farmers. A continuance of this policy, by familiarizing them with the habits of agricultural life, will gradually lead them to depend upon the cultivation of the soil for subsistence.

The report of the Commissioner of Indian Affairs, which is herewith submitted, furnishes full information in regard to the several tribes, and suggests in detail such matters as require the action of Congress.

The practice of licensing traders to traffic with the Indians, has been productive of mischievous results. The money received by them in payment of their annuities, generally passes immediately into the hands of the traders. The Indians purchase goods of the traders upon a credit, to be paid for upon the receipt of their next annuity. When the payment is due, the debts of the Indians are usually sufficient to absorb the whole amount. But, if anything is left after the payment of their debts, it is used for new purchases from the traders. The result of this system of trade is that the Indians pay for the goods they purchase, much more than they are worth. But this is not the only evil resulting from it. When a treaty is made, a large array of debts is presented, and provision usually made in the treaty for their payment. Witnesses are produced who establish the debts by evidence, which cannot be contradicted by any available proof, sufficient to absorb most of the proceeds of their lands. They are left to depend upon their annuities from the government for subsistence, and these find their way into the hands of the traders, while the Indians receive from them goods at a profit of from one to three or four hundred per cent.

It is apparent to all acquainted with Indians, that they are incompetent to manage their own business, or to protect their rights in their intercourse with the white race. It is the duty of the government to shield them from the arts of designing men, and to see

that they realize the full benefit of the annuities to which they are entitled. This can only be accomplished by breaking up the whole system of Indian trading. The power granted to agents to license persons to trade with the Indians should be revoked. All contracts made with them, and all obligations for goods or other property sold to them, should be declared utterly void. All future treaties should provide for the payment of their annuities in goods and agricultural implements, at the lowest prices at which they can be procured by the government. The department should be authorized to procure the consent of the tribes, with which treaties exist providing for the payment of cash annuities, that it shall furnish them with such goods and agricultural implements as their wants require, at the wholesale prices of such articles in the best markets, in lieu of the cash annuities provided for in the treaties.

By such a change the Indians would avoid the payment of profits which are now paid to the traders, and would realize a much larger amount in goods for their annuities than they now receive.

PATENT OFFICE.

No branch of the public service connected with this department has been so much affected by the insurrection of the southern States as that of the Patent Office.

The receipts of the office from January 1 to September 30, 1861, were \$102,808 18; and the expenditures were \$185,594 05, showing an excess of expenditures over receipts of \$82,785 87.

During the corresponding period of the last year the receipts were \$197,348 40, being \$94,840 22 more than the receipts for the same part of this year. During the same period 3,514 applications for patents and 519 caveats have been filed, 2,581 patents have been issued, and 15 patents have been extended.

To meet this deficiency in the income of the office, the commissioner, with the concurrence of the department, has reduced the clerical and examining force by the discharge of thirty of the employes, and reduced the grade of the remainder in order to lessen their compensation. By this reduction it is believed by the commissioner that the expenditures will be brought within the receipts.

The expenses of the office have been increased during the present year by the printing of the drawings and specifications authorized by the 14th section of the act of March 2, 1861. The Commissioner contracted for the printing in conformity with the law, and the work was executed in a satisfactory manner until the 1st of November, when, in consequence of the decline in the receipts of the office, it was discontinued.

The printing of the drawings and specifications of patents, in the manner in which it has been done under the law of March last, would unquestionably be of great service to the office, as well as to all interested in its business, and should, if possible, be continued. Although the expenses of the Patent Office have been increased by this printing, a saving of a larger amount has been effected to the

report, and the whole subject should be referred to Congress for such action as they may deem proper.

PENITENTIARY OF THE DISTRICT.

The number of convicts confined in the penitentiary on the 30th September, 1861, was 158, classified as follows: white males, 96; colored males, 54; white females, 2; colored females, 6.

One hundred and nine were natives of the United States, and forty-nine were of foreign birth.

Seventy-three convicts were received during the past year, and seventy-four discharged—sixty-one by the expiration of the term of sentence, thirteen by pardon of the President.

Ninety-six of the convicts are employed in the manufacture of shoes, and 25 in that of brooms. The others are employed in various branches of labor necessary to provide for the wants of the convicts and to keep the buildings in a proper condition of repair and cleanliness.

The expenses of the penitentiary during the fiscal year ending June 30, 1861, were \$32,741 26. Of this sum \$9,987 46 was received from sales of the products of the labor of the convicts; showing an excess of expenditures over receipts of \$22,753 77.

It is evident that a considerable portion of this expense has been occasioned by improper management of the institution. This is shown by the great difference in the amount of the expenditures made by the present warden and those made by his predecessor during a corresponding period. The present warden entered upon his duties on the 12th April, 1861. From October 1, 1860, to that time—a period of six and a half months—there was expended for clothing, provisions, fuel and lights, and hospital stores, \$13,118 50; for the same articles there was expended, from April 12 to October 1, 1861—a period of five and a half months—\$4,566 70.

Under the administration of the present warden the labor of the convicts has been made productive. In the shoe manufactory, from April 12 to September 30, the receipts were \$1,963 01 more than the cost of material and all other expenses, except the labor of the convicts. In the broom manufactory, for the same period, the receipts exceeded the expenditures \$710 78.

The income from the labor of the convicts can, doubtless, under prudent management, be largely increased; but whether the institution can be made self-sustaining is a matter of much doubt.

The board of inspectors, who are gentlemen of ability and experience, think there are general causes for the inability of the institution to sustain itself, which are not likely to be obviated. Their report explains in detail their views.

The penitentiary buildings are very badly adapted to the purposes for which they were constructed. Circumscribed in extent, inconveniently arranged, and illy ventilated, they are much inferior to the prisons of most of the States. It can hardly be expected, however, that Congress, in the present condition of the country, will authorize

the erection of new buildings; but while the old ones may be used for several years, and until the condition of the treasury will better justify the expenditure necessary to erect new ones, the health and comfort of the prisoners, and the convenience of all connected with the institution, require that an expenditure for improvements should be made, at least sufficient to introduce gas and the Potomac water. This can be done at a comparatively small cost, and an appropriation by Congress for that purpose is earnestly recommended.

I desire, in conclusion, to commend to your favorable notice the fidelity and zeal with which the various officers of the department have discharged the public trusts committed to them. Their several reports herewith show the extent of their labors, and exhibit a highly satisfactory condition of the business of the different branches of the department.

I have the honor to be, very respectfully, your obedient servant,
CALEB B. SMITH,

Secretary of the Interior.

To the PRESIDENT.

REPORT

OF

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

GENERAL LAND OFFICE, *November 30, 1861.*

SIR: In accordance with the resolution of the 28th of February, 1855, of the Senate of the United States, the following is submitted as an abstract of the annual report from this office for 1861. The report shows—

1. Quantity of land surveyed for the year ending 30th June, 1861; the quarter ending 30th September, 1861; the quantity surveyed prior thereto, and yet unoffered, with the aggregate quantity surveyed and unoffered on 30th September, 1861.
2. The aggregate, at that date, subject to private entry; with,
3. Aggregate of surveyed lands offered and unoffered on 30th September, 1861.
4. Cash sales of bounty lands, swamps, and railroads.
5. Comment on result.
6. Surveys in new Territories of Dakota, Colorado, Nevada, California, Oregon, Washington, New Mexico, Utah, Kansas, Nebraska, Minnesota, Missouri, Illinois, Louisiana, and Florida.
7. Foreign titles.
8. Pre-emptions, communicating the principle that would govern where pre-emptors enter the military of the United States.
9. Graduation with the ruling in regard to this class of purchasers who engage in the war for the Union.
10. Military bounty land claims—revolutionary, war of 1812 with Great Britain, war of 1847 with Mexico, and general bounty land claims under laws of 1850, 1852, 1855.
11. Swamp grants.
12. Railroad approvals.
13. Mineral interests of the United States in the public domain.
14. Eastern boundary of California.
15. Boundary between the State of Oregon and Territory of Washington.
16. Boundary between the Territories of the United States and Texas.
17. Reference to general administrative details.

With great respect, your obedient servant,

J. M. EDMUNDS, *Commissioner.*

Hon. CALEB B. SMITH,
Secretary of the Interior.

GENERAL LAND OFFICE, *November 30, 1861.*

SIR: During the year ending 30th June, 1861, there have been returned to this office as surveyed..... 7,972,576.70 acres.

And for the quarter ending September 30, 1861, an additional area of..... 919,548.55 “

Making an aggregate of acres returned surveyed since June 30, 1860, and not yet offered..... 8,892,125.25 “

Brought forward.....	8,892,125.25	acres.
To this may be added lands surveyed prior to July 1, 1860, and not yet offered, the quantity of.....	46,663,470.00	"
Making an aggregate area of surveyed unoffered.....	55,555,595.25	"
on hand September 30, 1861, liable to proclamation, and subject to pre-emption prior to the actual offering thereof at public sale.		
To this may be added <i>surveyed</i> lands, heretofore offered in different land States and Territories, which were liable to "private sale" and also to pre-emption on September 30, 1861, being in the aggregate.....	78,662,735.64	"
Making a total <i>surveyed, unsold, offered, and unoffered, on</i> September 30, 1861, of.....	134,218,330.89	"

Since last annual report no new proclamation has been issued for the sale of public lands. There was, however, an offering in June, 1861, in California, under the proclamation of October 22, 1860, for the sale of 3,685,287 acres; the law of 1853 requiring six months' public notice to be given in the State of the time and place of sale. Besides this, there has been a restoration to private sale in January last of 53,000 acres in Wisconsin, being public lands on the line of the Fox and Wisconsin, Iowa improvement grant of 1846.

In the year ending June 30, 1861, there were disposed of, for cash	1,465,603.57	acres.
For.....	\$884,887 03	
Located with bounty land warrants.....	2,017,440	"
Certified under railroad grants to Minnesota, Michigan, and Louisiana.....	1,021,493	"
Approved and certified in same year as swamp lands	599,125.10	"
Making an aggregate disposed of during the year ending ending June 30, 1861.	5,103,662.44	"
For the quarter ending September 30, 1861, there were sold (part estimate) for cash.	42,400.50	"
For.....	40,412 39	
Located by bounty land warrants, (part estimate).....	136,500	"
Approved in same quarter to States as swamp lands	6,969 37	"
Total quantity disposed of for the five quarters ending September 30, 1861....	5,289,532.31	"
Aggregate cash receipts during that period being.....	925,299 42	

The operations of the land system in the disposal of the public lands have been checked and depressed by the political difficulties of the country, growing out of the hostile attitude assumed towards the United States by the authorities controlling in the States in revolt against the federal authority. Notwithstanding these causes, and the necessary withdrawal for military service of a large number of our citizens from agricultural employment, the general disturbance of trade, and the exciting causes affecting the social system, the energy of our people and vigor of our institutions appear in this connexion in the fact that, unaided by public sales of fresh lands, actual settlements have increased the

greater portion, it is believed, of over three millions and a half of acres, which have been sold for cash, or located by warrants, being for actual settlement; adding, by estimate, forty thousand new farms of eighty acres to the wealth of the republic.

NEW TERRITORIES.—SURVEYS.

By three several acts passed in 1861, during the second session of the 36th Congress, provision was made for the organization of three new Territories, and the extension to them of the United States surveying system, these Territories being designated as Dakota, Colorado, and Nevada.

The first-named (Dakota) was organized under the provisions of the act of Congress approved 2d March, 1861. It embraces part of the northern portion of Nebraska and what was known as the Territory of Minnesota, or Dakota, west of the Minnesota State line.

The present Territory of Dakota, the largest of all the organized Territories, is bounded on the north by the 49° of north latitude, the international line; on the east by the States of Minnesota and Iowa; on the south by the Missouri, Nebrara, or Running Waters, and Keba, Paha, or Turtle Hill rivers; thence up the latter river to the intersection of the 43° of north latitude; thence due west to the Rocky mountains, and on the west by those mountains.

It contains 326,902 square miles, or 209,217,280 acres, and includes 52,454,400 acres, or the whole extent of the former Territory of Minnesota, also 156,762,880 acres of the northern part of Nebraska.

Within the limits of Dakota there has been organized the Yancton land district.

The area of Dakota, to which the Indian title has been extinguished, is 14,000,000 acres, exclusive of 399,800 of the Yancton "home reservation," under the provisions of the treaty of April, 1858, and about 80,000 acres of the Ponca reservation, treaty of March 12, 1858.

"Yancton," in Dakota, has been designated as the location for the office of the surveyor general of the Territory, and, by order of the President, "Vermillion," on the Missouri river, has been selected as the location for the Yancton land district.

The office of the surveyor general was opened at Yancton on the 1st July, 1861, and the surveying system has there gone into complete operation, pursuant to instructions to the surveyor general.

The surveying service in Dakota, during the present fiscal year, is limited by direct appropriation and apportionment of funds for that purpose. There has been allotted the sum of \$8,000 for subdivisinal surveys, out of \$50,000 appropriated by act of Congress of March 2, 1861, for surveying the public lands; for rent of office and incidental expenses, per act July 27, 1861, \$2,000; and \$4,100 apportioned on account of the necessary clerk hire out of unexpended balance of former appropriation.

During the year ending September 30, 1861, the surveyor general of Wisconsin and Iowa, who held jurisdiction over lands now in Dakota, has returned; has executed these surveys, embracing 60,639 acres, at the cost of \$5,053 15. Besides this, the surveyor general for Dakota has entered into contracts for the subdivision of about twenty townships in the fork of the Big Sioux and Missouri rivers, extending partly over the valleys of Vermillion and Dakota rivers. The lands of the Territory are reported as being of the most fertile character, the climate healthy.

The returns of the deputy surveyors indicate singular richness and uniformity of soil; the bottom lands of the Missouri and other rivers furnishing splendid natural meadows; the prairie, which is high and rolling, being covered with rich pasturage. The surveyor general reports that the capacity of the Territory for stock raising cannot be overestimated; submits an estimate for surveys for next fiscal year of \$25,322, recommending an appropriation of \$4,000 additional "for the purpose of initiating a geological survey, in connexion with the linear survey, during the next fiscal year."

For reasons connected with the present financial relations of the country, and upon other grounds elsewhere appearing in this report, the estimate submitted by this office for Dakota for next fiscal year is \$5,000.

The register and receiver for the Yancton land district were first appointed April 10, 1861, but failing to qualify before the expiration of the late special session of Congress, their duties, for the time being, were devolved on the surveyor general of Dakota, under the provisions of the twelfth section of the act of Congress approved July 22, 1854; the duties, by the 17th section of the organic act of the Territory of Dakota, approved March 2, 1861, being the same as those of the surveyor general of Kansas and Nebraska.

The additional duties thus made incumbent, *ad interim*, on the surveyor general of Dakota chiefly consisted in receiving notices of pre-emption declaratory statements, within his district, upon unsurveyed lands to which the Indian title is extinguished; in attending to the selection of sundry grants of land, under the seventh article of the treaty of April 19, 1858, with the Yancton Sioux tribe of Indians, and to locations of certificates of 80-acre tracts of land issued by the Indian office to the mixed bloods of the Chippewas of Lake Superior, under the seventh section of the second article of the treaty concluded September, 1854, with the Chippewas of Lake Superior, which certificates, by the decision of the department of the 26th February, 1856, are locatable upon unoccupied public lands anywhere open to pre-emption or subject to private entry, in conformity to circular letter of instructions to registers and receivers of November 24, 1857. These temporary additional duties of the surveyor general, however, will soon cease by transfer to the new appointees, who were commissioned to fill the places of register and receiver on the 28th September, 1861.

The new Territory of Colorado was organized by the act of Congress approved February 28, 1861. It is situate between the 37th and 41st degrees of north latitude, and 25th and 32d degrees of longitude west of the Washington meridian, embracing an area of 104,500 square miles, or 66,880,000 acres, of which 8,960,000 acres were formerly included within the Territory of New Mexico.

The portion of Colorado formerly included in the Territories of Utah and Kansas being 47,657,600 acres; in that of Nebraska 10,262,400 acres.

No treaty for the cession of Indian lands in Colorado has yet been ratified. By the treaty concluded on the 18th February, 1861, but not yet ratified, between the United States and the Cheyennes and Arapahoes, about one-third of the area of Colorado, situated north of Arkansas river, east of the Rocky mountains and south of the south fork of the Platte river, was ceded to the United States. In view of numerous settlements along the eastern slope of the Rocky mountains, in the valley of the south fork of the Platte river and the valleys of its tributaries, instructions, on the 9th of May last, were despatched to the surveyor general of Colorado, ordering the location of his office at Denver City, and directing him to establish standard lines over the strip of land embraced between the meridional line of Fort St. Vrain and Colorado City on the east, and the Rocky mountains on the west, an average width of 40 by 138 miles. In thus extending the lines of the public surveys over the lands embraced by the aforesaid treaty, concluded but not yet ratified, it is proper to state that the action of this office was based upon the highest judicial authority, by which it is held that, as between the contracting parties, a treaty takes effect and is binding on *said parties* from the date of its *signing*, the ratification relating back to the date of signing, but on *third parties* it takes effect from the date of *ratification*.—(Vide United States *vs.* Arredondo, 6th Peters's Reports, page 748; also United States *vs.* Sibbald, 10th Peters, page 323.)

In order, however, to obviate any difficulty in the extension of the standard lines along the eastern slope of the Rocky mountains over the lands thus cir-

circumstances, the aid of the Indian agent has been invited, with the view of explaining to the Indians the intentions of the government in relation to the entrance of the surveyors upon a limited extent of the already settled country, for the accommodation of the agricultural portion of the settlers therein, and that the United States surveyors are not to disturb them prior to the final ratification of the treaty of February 18, 1861.

No separate appropriations for the surveying service in Colorado having been made for the fiscal year ending June 30th, 1862, at the time of the organization of the Territory, the sum of \$9,000 for the surveys therein was apportioned under the decision of the department out of the appropriations made for that year for the surveying districts from which was constituted the Territory of Colorado, and which funds would have been applied for the survey of those portions thereof, had they not been incorporated into Colorado.

The surveyor general promptly repaired to the post of his duty, reported his arrival at Denver City on 17th June last, where he opened the office and entered upon the discharge of his duties.

Pursuant to instructions the surveyor general has made contracts for the establishment of the 8th guide meridian, 138 miles from the corner to townships one north and south of the base line of ranges sixty-four and sixty-five west of the sixth principal meridian, governing the surveys in Kansas and Nebraska, which base line had been surveyed and marked in the field on the fortieth degree of north latitude from the intersection thereof with the Missouri river, west to the summit of the Rocky mountains, prior to the organization of the Territory of Colorado. He has also contracted for the survey of 192 miles of standard parallels, from which township lines, to the extent of the means allotted to this surveying district, will be surveyed during the present fiscal year, leaving sub-divisional work of the agricultural portion of the Territory to be accomplished under future direct appropriations, for which an estimate of \$5,000 is herewith submitted.

The surveyor general reports that the valleys of the Platte and Arkansas, with their mountains, are being cultivated with success. The plains situated in the eastern portion of the Territory are not so suitable for tillage as for grazing purposes.

The Territory of Nevada, organized March 2, 1861.—Its geographical limits are 39° west longitude of Washington meridian on the east; 37° of north latitude on the south; 42° of north latitude on the north, and the dividing ridge separating the waters of Carson valley from those that flow into the Pacific ocean, from the 37th to the 41st degree of north latitude, and thence due north to the southern boundary of Oregon, embracing 64,550 square miles, or 41,312,000 acres, formerly constituting the western portion of the Territory of Utah, and embracing a strip from the eastern side of California; but the latter only upon the condition of that State's assent.

The surveyor general of this Territory having been appointed under the provisions of the organic act above mentioned, after receiving his instructions from this office for the government of the surveying operations, left New York on the 21st May last, and reached Carson city, in Nevada, via San Francisco, on the 22d June, 1861. Some of the standard lines governing the surveys of the public lines in California, and counting from the Mount Diablo meridian, having been extended east across the Snowy mountains in California, and now partly forming the eastern boundary thereof, the surveyor general of Nevada was instructed to extend the same further east to the valley of Carson river, in Nevada, and establish therein Carson river guide meridian, with standard parallel, so as to reach the localities of actual settlers. To this end the sum of \$10,000 was set apart, with the Secretary's concurrence, from unexpended balances of former appropriations for surveys in Utah.

Surveys in Carson's valley, Nevada, had been made by Mormon county sur-

veyors, under color of authority from the Utah legislature, when the region of country formed a part of Utah. The surveyor general of the latter Territory, under orders from this office, had given public notice of the illegality of such surveys, and of the invalidity of any claims resting upon the same, with a warning of the penalty prescribed for violation of the laws of the United States in that respect.

Such was the state of matters existing at the passage of the act organizing the Territory of Nevada when the extension of the lines of the public surveys was determined upon. The surveyor general of Nevada was consequently instructed to carry on his surveying in the valleys of Carson, Walker, and Truckee, or Salmon Trout rivers, and embrace actual settlements, together with those of one hundred and ninety petitioners, who, on the 3d December, 1860, had applied to the surveyor general of Utah to have the lands in Carson county surveyed, and which would have been surveyed under his superintendence during the present year and paid for out of the surveying fund of Utah, had the lands not been included in the surveying district of Nevada.

Upon opening his office at Carson city, the surveyor general of Nevada, after making reconnoissance of Carson valley and the valleys of Washoe lake and Bigler lake, also the settlements of China Town, Silver City, Gold Hill and Virginia City, into contract for the survey of Carson river guide meridian, corresponding very nearly with the $42^{\circ} 30'$ of west longitude of Washington meridian, and standard parallels at thirty miles apart from each other, amounting in all to one hundred and forty-eight lineal miles of surveying, which will form sufficient bases for the sub-divisional surveys during this year and next fiscal year, for which an estimate of \$5,000 has been submitted by this office.

The surveyor general reports depredations committed by parties claiming to hold the lands under the territorial laws of Utah, suggesting early surveys, with a view to speedy sale by the United States.

It is also stated that the lands in Carson valley are claimed by persons waiting the extension of surveying lines, so that they may conform their boundaries to the government surveys.

The Washoe valley, being on the west side of the lake of that name, is fifteen by five miles; contains numerous settlers, represented as holding large ranches under illegal grants.

The Walker valley, above Water lake Indian reservation, is represented as containing about 300,000 acres suitable for settlement.

The Truckee River valley, eighty miles above Pyramid lake Indian reservation, contains a large amount of the best lands in the Territory, fit for agricultural and grazing purposes, occupied by settlers holding extensive claims of from one to three thousand acres, under color of Utah territorial legislation.

The surveyor general reports that the population of Nevada Territory is 17,000, mostly found in towns and mining districts; the latter possessing unlimited mineral resources, which are being largely developed.

In 1855 the existing system of timber agencies was instituted by this office, under the provisions of the penal act of 2d March, 1831, "for the punishment of offences committed in cutting, destroying, or removing live oaks and other timber or trees preserved for naval purposes," and in view of the decision in the case of the United States *vs.* Ephraim Briggs, (9th Howard, p. 351,) in which the Supreme Court decided that the said act authorized the prosecution and punishment of all trespassers on public lands by cutting timber, whether such timber was fit for naval purposes or not.

The present system was embodied in a circular letter, dated December 24, 1855, addressed to the registers and receivers, devolving the duties connected therewith upon the officers of the local land districts. There being as yet no such officers in Nevada, the duties of the register and receiver in this particular were assigned by this office to the surveyor general on the 9th September,

1861, requiring him to act in carrying out the system as developed in that circular, when necessary to protect the public timber from spoliation in Nevada.

CALIFORNIA.

During the past year there have been surveyed 742 lineal miles, embracing 212,475 acres.

The greater portion of the appropriation for this district has been allotted to private land claims, of which fifty-eight have been surveyed during the past year.

Four deputy surveyors have been in the field, under different contracts, since last annual report, and the surveys comprise—

1. Those private land claims in regard to which final judicial decrees have been filed in the surveyor general's office.

2. Resurveys of private claims, ordered by the United States district courts.

3. Subdivisional work, bordering on private land claims, in San Luis Obispo and Santa Barbara counties.

4. Subdivisional work of three fractional townships in the Humboldt district.

5. The subdivisions bordering on or near Nome Cult Indian reservation.

The surveyor general recommends the subdivision of certain townships situated east and west of the bay of San Francisco, the valley of Sacramento river, in Big valley, west of Clear lake, in Anderson's valley, and along the rivers Noya, Big Albion, Navarro, and Garcia, in Mendocino county, and also a number of townships in the northeastern portion of the State, in the Pitt river valley, heretofore occupied by roving, warlike Indians, who have been removed.

That region is represented as being rapidly filled up with settlers, the lands as devoid of minerals, and well adapted for agricultural and grazing purposes. It is also represented that in some of the townships already subdivided discoveries of minerals are almost daily being made, the following instances being reported, all *east of the Monte Diablo meridian*, viz.:

That the late discoveries of *silver* known as "caso" are in township 18 south, range 40 east, situated east of Owen lake.

The Esmeralda silver mines are in the northeast of township 3 north, range 28 east, being northeast of Mono lake.

That rich quicksilver mines in the Berreyesa valley are in township 10 north, of ranges 4 to 7 east, being northeast of Sacramento City.

That the Monte Diablo coal mines are in township 2 north, of ranges 1 and 2 east.

That the Coral Hollow coal mines are in township 3 south, ranges 3 and 4 east.

That rich copper veins have been struck in townships 2 and 3 north, of ranges 12 and 13 east, between Calaveras and Stanislaus rivers; and that *west* of the San Bernardino meridian *tin* mines have been discovered in the Temescal range of mountains, in townships 2, 3, 4, 5, south, of ranges 4, 5, and 6, west, between San Jacinto and Santa Ana rivers.

The surveyor general reports a large portion of the mineral regions as the best portion of the State for agricultural purposes, and recommends that township lines be extended over the whole mineral region; expressing his opinion that as nearly all the mining interest is controlled by capital, the time has arrived when, without injustice to the miner, the government can subdivide the land and obtain a fair compensation therefor.

That officer submits an estimate of \$50,000 for the survey of private land claims, and \$100,000 for the survey of public lands, indicating a number of

townships to be subdivided, bordering on private claims, which have been finally settled.

From the organization of this surveying district to the 30th June last there have been surveyed in California 99,482 lineal miles, embracing 18,553,988 acres, at a cost of about \$1,763,633 48.

In view of such immense field operations, at so heavy an outlay, and with most inconsiderable results to the treasury, this office proposes but a small appropriation, for the present, to be applied to the survey of private land claims.

In considering the subject in this point of view attention is drawn to the heavy expenditures incident to the public land administration in that State, in comparison with the inconsiderable receipts and general results in regard to the disposal of the public lands.

There are now six local land districts in the State, having in the aggregate twelve officers, (registers and receivers,) with a salary of \$3,000 each, besides allowance for office rent and incidentals, making the expenditure for the year ending 30th June, 1861, about. \$42,600 00

Besides this, there is a United States surveyor general, with a salary of \$4,500 per annum, with clerks, translator, and incidentals, including \$2,100 per annum for office rent, at the cost for last fiscal year of 26,297 86

Making a total of. 68,897 86

The whole cash receipts for the same period from the sale of public lands in California were \$101,357 37. And the total disposed of by the location of land warrants during the same period was 106,440 acres.

Since the commencement of land operations in the State to the 30th September, 1861, there have been proclaimed and offered the aggregate quantity of 11,282,541 acres.

The total cash receipts for the same period was \$296,697 02.

Total area covered by land warrant locations, 302,562.80 acres.

These results suggest legislation authorizing a material diminution of the number of districts by consolidation, and the arrangement of compensation by assimilating salaries in some just proportion to those paid in the elder land districts of the Union. This suggestion as to compensation applies also to Oregon, Washington, and New Mexico—the existing rates having been fixed when those regions were newly organized, and the cost of transportation and supplies enormous.

There is another matter in this connexion requiring consideration, and that is the expense to the United States in the survey of confirmed private land claims. The cost of these in California, to 30th September, has reached \$157,095 63.

This has been materially increased by judicial intervention, under act of Congress approved June 14, 1860, defining and regulating the jurisdiction of the district courts in California, "in regard to the survey and location of confirmed private land claims," pursuant to which the power to determine questions of location and to alter or modify boundaries is conferred on the courts. Returns have recently reached here, whereby the cost of the survey to the United States of a single rancho is shown to be \$2,674 00; another at the cost of \$1,611 35; and one from New Mexico at the cost of \$1,966 26.

It is recommended that an act be passed requiring surveys of such confirmed claims to be made at the expense of claimants, as required in earlier legislation.

OREGON.

During the last year surveys in this State have been returned to the extent of fifteen townships and fractional townships, located principally in the valleys of the Des Chutes and Umatilla rivers, east of the Cascade mountains, in the vicinity of the Columbia river. The lands under contract during the present year are near the same locality, and are equal to twenty whole and fractional townships.

There have been surveyed 979 miles under contracts closed since August 30, 1860, and 1,226 miles contracted for since the same period. 50 plats of exterior subdivisional guide meridian and standard parallel lines have been prepared; also, 40 plats have been completed of townships embracing the surveys of donation claims. These townships are situated in the valleys of Willamette, Umpqua, Coquille, and Rogue rivers, and their tributaries lying west of the Cascades, and contain 798 donation claims, covering 260,085 acres. The quantity of acres of the public land remaining in these townships liable to be disposed of under the pre-emption laws and otherwise is 410,924 acres.

The surveyor general recommends the extension of public surveys as follows: The guide meridian south, between ranges 17 and 18 east of Willamette meridian, passing through the valley of the tributaries of Fall river.

The guide meridian south, between ranges 30 and 31 east, through townships 1, 2, 3, 4, and 5 south, first standard parallel south of the base line east, to guide meridian, between ranges 30 and 31.

The exterior and subdivisional lines of townships north of base line, between ranges 17 and 33, bordering on Columbia river, between John Day's river and Umatilla river, and a few townships in the southwest portion of the State near the Pacific ocean.

The extension of the base line is also recommended by the surveyor general, from the vicinity of Walla-Walla meridian to the present termination thereof, east to Snake river, or the eastern boundary of Oregon. For these proposed surveys the surveyor general estimates \$42,240.

Looking, however, to the advances heretofore made in extending the lines of public surveys in Oregon, to the extent of surveyed lands in that State not disposed of, and to the present exigencies of the country in respect to means, this office does not regard such extensive operations of indispensable necessity during the ensuing year, and has, consequently, concluded to reduce the estimate to \$5,000.

The late surveyor general, on the 29th of January last, reported certain surveys as executed by Lafayette Cartee, deputy surveyor, in excess of his contract of October 14, 1860, consisting of township lines and subdivisions of four townships, situated in the Des Chutes River valley, amounting to \$3,033 50.

The work was approved by the late surveyor general, but, being in excess of the appropriation for the last fiscal year, and without authority of law or instructions, has been laid aside and payment refused, unless Congress shall deem it proper to give the department authority to receive the work and pay for the same.

WASHINGTON TERRITORY.

When the last annual report was made from this surveying district there were eight unfinished outstanding surveying contracts, of which six have since been closed, and the time for completing the other two has been extended to the 25th of December, 1861. Since that report, the surveyor general has entered into five contracts, to the extent of 1,820 lineal miles.

Estimated cost, \$21,840, for surveys on both sides of Hood's canal at its southern extremity, and in the valleys of Dwamish and Cedar rivers, near their

confluence with Admiralty Inlet, west of the cascades, and also east of those mountains in the valley of Klikitat river, near the portage at the Dalles, and in the valleys of Walla-Walla and Touchet rivers.

The survey of the residue of the lands in the vicinity of Vancouver, including the site of the town, has been completed, as also that of nearly all donation claims.

During the same period there were prepared sixty-five township plats, of which twenty-two were protracted from the field notes of surveys, and forty-three copies made of the same, showing 700 miles of surveying.

The surveyor general submits estimate for the fiscal year ending June 30, 1863, for the extension of meridian and standard parallel lines to the extent of 276 miles, and for 5,105 miles of township and subdivisional surveys, at the aggregate cost of \$66,792, which estimate has been reduced by this office to \$5,000, in consideration of our existing financial relations and the little demand for surveyed lands in Washington Territory.

The claims of 1846 with Great Britain, remain unadjusted, definitive action in that respect being deferred for the directions of Congress in regard to the manner of adjustment and final disposal of this business, a mode of proceeding to this end having been recommended in the last annual report from the department.

In the meantime the surveyor general is interdicted from entering upon the survey of those lands, although it is understood that actual settlements therein have been made by hundreds of our own citizens, nor is that officer yet authorized to survey the islands between the straits of Rosario and Haro, upon some of which settlements by our people have also been made, particularly upon the island of San Juan, the survey of those islands being deferred until the international lines shall have been fully determined.

During the past year eleven deputies have been employed in extending the lines of public surveys and ten engaged on surveys of donations, nearly all of which have been completed, the closing of the lines of the surveys having tested in a gratifying manner the correctness of former surveys.

It is reported that recent discovery has been made of very rich gold placers in the Nez Percé country, along the valley of Clear Water river, an affluent of Snake river, and that nearly ten thousand people are there, who it is supposed will occupy all the farming lands. The region for the principal future surveys in the Territory, the surveyor general reports, will be upon the upper Columbia, and the rivers and bays of the Pacific ocean.

NEW MEXICO SURVEYING SERVICE.

The surveys in this Territory during the last year have been extended over the following confirmed private land claims and pueblos, viz :

Claim of Preston Beck, jr., town of Anton Chico, town of Las Vegas; claim of Donaciano Vigil, "Los Trigos," and claim of E. W. Eaton, together with public lands, in all 680 miles, embracing an aggregate area of 1,338,000 acres, at the cost of \$9,369 65.

From this surveying district has also been furnished the appended statement showing the names of all the Indian pueblos in New Mexico, with their localities, population, wealth, and the time their land claims were confirmed by Congress, when surveyed, and the areas thereof.

This statement comprises forty-eight pueblos, containing in the aggregate, according to census of 1860, a population of 16,922.

Personal estate owned in pueblos, \$772,766.

Area of land in the same, 517,427 $\frac{48}{100}$ acres.

We have also from the surveyor general a communication addressed to him

by Captain Baker, a resident of the valley of the San Juan, one of the tributaries of the Colorado of the West, descriptive of that part of the Territory, and urging that the public surveys be extended over that valley and the valleys of the numerous affluents of San Juan—among others the valleys of Rio de las Animas and de la Plata, reported as being “among the finest agricultural valleys of the continent,” and abounding in bituminous coal.

It is also represented that the valleys of the Rio de las Animas and San Juan are strewn with the ruins of cities, many of them of solid masonry. Stone buildings, three stories high, are yet standing of Aztec architecture.

It is further reported that near the confluence of the La Plata and San Juan three seams of coal were observed, the first, or the upper one, four feet thick, within twenty feet of the surface; the second, six feet thick, nearly within same distance; the third, ten feet thick, within about fifty feet of the surface.

It is also reported that complaints are made by the pueblo Indians of the encroachments upon their lands by the Mexican people, owing to the pueblos not having been surveyed and their limits defined, for want of sufficient appropriations.

The estimate submitted by this office is mainly designed for that purpose.

The survey of the boundary between Colorado and New Mexico is urged by the surveyor general in order that it may be ascertained whether the adjudication of claims, under treaty of Guadalupe Hidalgo, situated in the vicinity of the thirty-seventh parallel of north latitude, belongs to the surveyor general of New Mexico or of Colorado.

That officer has submitted an estimate of \$40,000 for the surveys in the field for the next fiscal year. The reported continual depredations of the Indians on life and property in New Mexico, the dangers to deputies without escorts, are reasons for restricted operations, in addition to monetary embarrassments; and hence the sum of only \$5,000 is submitted by this office for the next fiscal year.

Of the private grants which have been filed in the office of the surveyor general since last annual report but four have been adjudicated by him. That officer reports that there are in existence hundreds of claims which should be filed, but holders of these land grants refuse to present them for investigation.

To remedy this evil the propriety of limiting the time by law within which the muniments of title should be filed is suggested.

This policy seems to be called for by public interests connected with donation claims and the surveys of the public lands; the latter, in many instances, having been postponed from year to year in apprehension of the localities being covered by treaty grants.

The appropriation of \$10,000, per act of March 2, 1861, for the surveys of New Mexico, being reduced to \$8,000 by apportioning the difference to the newly organized Territory of Colorado, under decision of the 5th April last, the surveyor general entered into surveying contracts, payable out of that amount, \$8,000.

The contract embraces the surveys of private land claims and their connexions with the lines of public surveys, viz :

1. Town of Tajique.
2. Casa Colorado.
3. Torreon.
4. Manzano.
5. Tejon.
6. San Ysidro.
7. Cañon de San Diego y Moro.
8. Grant of John Lamy.
9. “ of Ortiz Mine.
10. “ of José Serafin Ramirez.
11. “ of Antonio Sandoval.

12. Grant of Ramon Vigil.

13. " of Francisco Martinez.

14. " of Sebastian Martinez.

15. Also, the two selected locations for the heirs of Luis Maria Cabeza de Baca.

The surveyor general suggests that, in order to do justice to the surveys, both to the government and the confirmees of private claims in New Mexico, a law should be passed applying the provisions of the act of Congress, approved June 14, 1860, for the determination by the courts of the correctness of locations and surveys in California to those of New Mexico, in disputed cases, growing out of indefinite boundaries described in the grants.

The extent of the surveys of public lands and confirmed private grants since the organization of the surveying district of New Mexico, in 1854, is illustrated on the map accompanying the annual report of the surveyor general of the 29th August last. It consists of the following :

92 townships and fractional townships, situated in the Rio Grande valley from 32° to 36° of north latitude, or from Fort Fillmore up to Santa Fé, and 20 townships lying in the valleys of Canadian river and Utah creek, Rio Concho and Moro tributaries of the Canadian, situated south and east of Fort Union, embracing 2,331,114 $\frac{48}{100}$ acres.

25 private and pueblo claims, covering the area of 2,070,094 $\frac{28}{100}$ acres, situated mostly in the valley of the Rio Grande and the northern affluents of Rio Pecos, lying east and southeast of Santa Fé.

A list received from the surveyor general is appended to this report of the captains general, civil and military governors, &c., in authority in New Mexico under the crown of Spain and the government of Mexico, as collected from the Spanish archives in the office of the surveyor general of New Mexico, embracing a period of time extending from the year 1698 down to 1846, when Santa Fé was taken possession of by the United States government.

TERRITORY OF UTAH.

which by the original act establishing the territorial government, approved September 9, 1850, contained 140,925,440 acres, has been reduced to 84,044,880 acres, by the provisions of sections 1st and 21st of the act of Congress organizing the Territories of Nevada and Dakota, approved March 2, 1861.

No public lands have been surveyed in Utah since the year 1857, there being no land district organized for the disposal of 2,500,000 acres already surveyed, and no demand for purchase from the United States.

The surveyor general, with his limited clerical force, has been occupied in the examination of former surveys, executed under the late surveyor general, David H. Burr, against which sworn allegations of fraud had been preferred.

Mr. Burr's immediate successor has been engaged in the examination of surveys made by Charles Mogo, deputy surveyor, under his contract with Surveyor General Burr, dated March 6, 1857.

The late surveyor general, Mr. Stambaugh, after organizing an examining party, started for the field in the early part of the last fiscal year, and his report of the examinations made, dated September 10, 1860, disclosed disregard, on the part of the late surveyor general, of the laws governing the surveys, and, on that of his deputies, great delinquency in perpetuating the corner boundaries of their surveys in the field, and in the failure to plant corner posts of the requisite dimensions.

The examination of the surveys made under the administration of Surveyor General Burr has resulted in showing great remissness on the part of that officer in not providing proper checks upon his deputies, as required by law and instructions, to prevent the survey of lands unfit for cultivation.

The surveying account of Charles Mogo, United States deputy surveyor, growing out of his contract of March 6, 1857, with the late surveyor general of Utah, which, by the decision, dated the 27th of August, 1861, of the Secretary of the Interior, was directed to be adjusted upon the principles therein laid down, was reported for payment to the amount of \$4,173 63, instead of \$13,285 23. The amount which has been allowed and paid consists only of the per mileage due Mr. Mogo for standard and township lines, \$4,008 89, which work by law he had authority to survey, and \$144 74 for the subdivisional lines covering the extent of 5,000 acres of land, the surveyor general's report of the examination of Mr. Mogo's work in the field showing this extent to be fit for agricultural purposes, and consequently surveyable under the law and instructions.

Under said decision there was disallowed the sum of \$9,111 60, being charges of per mileage under his contract for the subdivisional survey of desert land, the survey of it being interdicted by law, which declares that "none other than township lines shall be run where the land is deemed unfit for cultivation."—(Statutes at Large, vol. 9, p. 497, made applicable to the surveys in Utah by the provision of the 1st section of the organic act establishing the office of the surveyor general of Utah, approved February 21, 1855.)

The late surveyor general of Utah reported against the continuation of the public surveys in Utah until a different policy may be devised by Congress to induce other than Mormon emigration to the Territory.

The region in the valley of Uintah river, a tributary of Green or Colorado river in Utah, situated about sixty miles south of Fort Bridger, is represented as the best agricultural lands, abounding in pine and other timber, watered by several streams affording valuable water power, and presenting great inducements to settlers.

It is reported that all the settlements heretofore made in Utah were established under the special direction of the Mormon church; that about the 1st of September, 1861, an exploring party left Salt Lake City, headed by the territorial surveyor general, preparatory to the settlement of this and other valleys, by one hundred and fifty families, who proposed removal for the organization of settlements. No public surveys have extended over the Uintah valley, owing to its isolation and hitherto uninhabited condition, except by the Indians. Explorations made during the last summer, by a surveying party, for a more direct overland route from Denver City, Colorado, to California, having passed through the valley of Uintah, and reported it well adapted for large settlements, and favorable for the location of the overland route, seem to have given incentive to the appropriation of the valley by Mormons.

The President, however, by order dated October 3, 1861, upon the application of the Indian office, has directed the reservation of the valley for Indian purposes, and the surveyor general has accordingly been instructed to lay down upon the map of Utah Territory the reservation, containing upwards of 2,000,000 acres, to be respected accordingly in future surveying operations.

As no land district has yet been organized for Utah for the sale or disposal of the public lands already surveyed, and no information has reached this office showing any general desire on the part of the people to acquire titles to the public lands from the government, no further surveys are now recommended—it being proposed, merely, to keep up the organization of the district through the surveyor general, now in custody of the surveying archives, until either the department shall deem it proper to close for a time the district, placing the archives in charge of some United States functionary, or until the policy of Congress in the premises shall be marked out by further legislation.

Turning from the surveying departments in the great inland region, and on the Pacific, and advancing from these eastward, we first reach in geographical position, KANSAS, NEBRASKA, and pursuing the subject, will now briefly con-

sider the surveying relations of the elder surveying land districts east and west of the Mississippi, in the northwest and southwest, and in the southern portion of the republic, the first in order being

KANSAS AND NEBRASKA.

The returns of the field work show that there have been surveyed during the year ending September 30, 1861, in Kansas, 5,006 miles of township and subdivisional work, principally diminished reserves and trust lands of the Kansas, Delaware, Sac and Fox Indians, and 1,420 miles in Nebraska, in the South Platte and Nemaha land districts.

Besides this, the surveyor general has entered into four contracts for surveys in Kansas and Nebraska, equal to 2,196 lineal miles, at a cost of \$11,772.

In this surveying department one hundred and twenty-five township plats for <i>Kansas</i> have been prepared and sent to the proper district offices, for an area of acres.....	2,159,688.69
The plats previously reported embracing acres...	12,086,316.00

Making plats duly returned for a total area in Kansas, of acres.....	14,246,004.69
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Twenty-three township plats for <i>Nebraska</i> have been prepared during the past year, and transmitted for an area of, acres.....	449,621.53
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Plats previously reported for, acres.....	9,415,675.64
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Making plats returned for, acres.....	9,865,297.17
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Total surveyed and platted lands in Kansas and Nebraska, acres..	24,111,301.86
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The surveyed lands in Kansas start from about 37° 26', extending north a distance of about 154 miles, reaching to the 40th degree of north latitude, and from the western boundary of Missouri, westward, a distance of 160 miles, including the "home reservations of the Pottawatomies, Kansas, Kickapoos, Otoes, Kaws, Sacs and Foxes of Missouri, Ioways, Ottowas, and Chippewas.

The lands surveyed in Kansas are watered by the Missouri river and its tributaries, Kansas and Osage, Kansas and its tributaries, viz: Stranger creek, Grasshopper, Big and Little Blue rivers, Republican, Solomon, Saline, and Smoky Hill forks, the Arkansas river and its affluents, Neosho, Verdigris, and Little Arkansas. The surveyed lands in Nebraska embrace that part of the Territory extending from the Missouri river on the north, southward to the 40th parallel of latitude by an average width, west of Missouri river of eighty miles, exclusive of the home reservations for Omahas, Otoes, and Pawnees. The surveyed lands are in the valleys of Platte and Missouri rivers and their tributaries, viz: Loup Fork, Elk Horn, Niobrarah, Great and Little Nemaha, and also Republican Fork, Big and Little Blue—the affluents of Kansas river.

The northern portion of the Cherokee neutral land is reported to be densely settled, under the impression that the northern boundary of these lands was twelve miles south of the 5th standard parallel.

One settlement ("Drywood") alone is represented as containing three or four hundred settlers, who have made valuable improvements. As it is understood that the Cherokee Indians are inclined to dispose of these neutral lands, the surveyor general recommends that the Indian title be extinguished as early as compatible with the public interest. Settlements also are reported on the Osage Indian lands embraced within a strip along the northern boundary eight miles wide. This tribe also, it is understood, are willing to dispose of the eastern portion of their lands.

In urging the extension of surveys, the surveyor general represents it as but justice to the settlers to state that many of them have left their families and are enrolled under the flag of the Union, and may be confidently looking to the government to secure homes to their wives and children.

As a reason for asking for large appropriations during the next year, the surveyor general urges the probability of the issue of a great number of bounty land warrants to the soldiers engaged in putting down rebellion, and with this view submits estimates for the extension of surveys—

In Kansas.....	\$74,694
In Nebraska.....	75,292

Making a total of.....	149,986
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sufficient to pay for additional surveys to the extent of 390 townships, or nearly 9,000,000 acres.

In consideration of the large quantity of surveyed, undisposed of lands in Kansas and Nebraska, and for reasons elsewhere suggested in this report, connected with the financial concerns of the country, and of the settlers themselves at this conjuncture of public affairs, this office has submitted a diminished estimate of \$10,000.

The best lands in Kansas are reported to be situated south of those already surveyed, which adjoin Cherokee and Osage lands, a belt of twenty-six miles, to which Indian title has not yet been extinguished, and therefore, even if enlarged appropriations were made by Congress for the surveys of the public lands in Kansas, the funds could only be applied for those lying west of the present surveyed lands, estimated at thirty millions acres, the inducements to settlers being lessened in regard to these on account of their distances from public highways. Like remarks may be applied to Nebraska, as diminished by the creation of the new Territories of Dakota and Colorado.

The surveying machinery in Kansas has been applied towards the subdivision of the home reservations of the Delawares under treaty of 1854, Sacs and Foxes of Mississippi, treaty 1842, and of Kansas, treaty 1846, amounting in the aggregate to 1,012,242.67 acres, the surveys to be paid for out of the proceeds of the sales of their trust lands, under the control of the Indian office.

These lands, by the provisions of recent treaties, have been surveyed in accordance with the public land system into diminished home reservations, to be allotted in severalty to the respective tribes. The ceded lands have in like manner been surveyed to be sold in trust for the benefit of the Indians. The surveyed reservations are described as follows :

The Sac and Fox diminished reservation, containing.....	153,997.42 acres.
Sac and Fox trust land, containing	278,199.89 "
The Delaware diminished reservation, containing.....	100,092.41 "
Delaware trust lands, containing	223,890.94 "
Kansas diminished reservation, containing	80,409.06 "
Kansas trust lands, containing	175,652.95 "
Making the aggregate above stated of.....	1,012,242.67 "

WISCONSIN—IOWA SURVEYING SERVICE.

Wisconsin.—The subdivisional lines of fifteen townships in this State have been run since the last annual report, being equal to 1,000 miles, and embracing an area of 264,000 acres. Three of those townships are located near the St.

Louis river, three in the vicinity of Bad river, in Lapointe county, and nine north of the 3d correction parallel, situated part in Oconto county and a portion in Marathon.

The exterior lines of forty-eight townships and fractional townships lying in Marathon county, between the headwaters of the Wisconsin river and the Michigan boundary, have been surveyed since the last annual report, equal to a distance of 371 miles and 15 chains.

There remain in this State, east of the 4th principal meridian, about 480 miles of township lines to be surveyed and 150 townships of subdivisions. All west of that meridian are completed or under contract. The surveyor general submits an estimate \$15,000 for the survey of township and subdivisional lines, situated between the 3d and 4th correction parallels east of the 4th principal meridian.

Upon the completion of the Iowa surveying archives, the attention of the force in this surveying district will be directed to the prosecution of the field and office work in the State of Wisconsin.

IOWA SURVEYING SERVICE.

The survey of the two townships situated on the northern boundary of the State, and embracing Spirit Lake, which remained unsurveyed at the date of the last annual report, has been completed, thus closing the surveys of the public lands in Iowa.

The surveyor general has been directed to bring up the records of his office so far as they relate to this State, within the present fiscal year, preparatory to their delivery to the State authorities whenever an act authorizing their reception shall have been passed.

With this in view, there has been apportioned the sum of \$3,000 to the office of the surveyor general at Dubuque, Iowa, to enable him to accomplish the work by the 30th June next, which work is reported as rapidly progressing.

MINNESOTA TERRITORY.

The public surveys had been extended under the superintendence of the surveyor general of Wisconsin and Iowa on that part of this Territory included in Dakota Territory, previous to the organization of the latter under act of March 2, 1861, viz: The base line has been surveyed between townships No. 94 and 95 of ranges 48 to 61 inclusive, extending from the Big Sioux river to the eastern boundary of the Yancton Indian reservation, a distance of 81 miles. Township lines have been surveyed between ranges 48 and 62 immediately north of Missouri river, a distance of 345½ miles; subdivisions of these townships amounting to 231 miles, embracing an area of 60,639 acres. Most of these townships are already covered with claims of actual settlers, and embrace several towns and villages. The soil is reported to be of unsurpassed fertility.

On the 13th July last all matters pertaining to surveys in this portion of the Territory were turned over to the surveyor general of Dakota.

MINNESOTA.

In this State during the last year there have been surveyed 501 miles of standard parallel and guide meridian lines; 1,144 miles of section lines, together with 334 miles of meandered lakes and streams. The subdivisional surveys comprise 441,000 acres of the public lands. They are situated in the vicinity of Otter Tail lake, northeast and southwest thereof. The lands surveyed are described as first and second rate, well adapted for agricultural purposes. Scarcity of timber, however, exists to a considerable extent, with the exception

of the region of country north of Otter Tail City, over which township lines have been run, and five townships were subdivided with the view of ascertaining the value of those lands for lumbering purposes.

That locality has been found to abound in good pine timber, but is represented as not adapted to farming purposes.

The estimated area of the State of Minnesota is 52,454,400 acres.

There has been surveyed very nearly one-half of the lands in Minnesota, to which the Indian title had been extinguished, leaving about ten millions of acres to which Indian title has not been extinguished.

This portion where the usufruct title has not been relinquished consists of two separate bodies of lands. One situated in the northwestern corner of the State, bounded on the west by the Red River of the North, extending from the mouth of Wild Rice river to the international boundary; on the south by a line drawn northeastwardly from the mouth of Wild Rice river to Turtle lake, about twenty miles southeasterly of the Red lake; and on the east by a line connecting the source of the Black river, affluent of the Rainy Lake river, with Turtle lake.

The other tract of country to which Indian title has not as yet been extinguished lies south of the Rainy lake, west of the most western bend of Vermillion river, east of Big York river, the tributary of the Rainy Lake river, and north of the line connecting the western bends of the Vermillion and Big Fork rivers.

The lines of the public surveys, progressing northward along the Red River of the North, have reached down to the mouth of the Wild Rice river, the latitude of Itasca lake, or the source of the Mississippi river, and along the northwest shore of Lake Superior; the surveys have been already extended to the mouth of the Pigeon river, in latitude of 48° , while those along the western shore of the Mississippi river and west thereof have advanced to about twenty miles north of the confluence of Crow Wing river with the Mississippi, or about $46^{\circ} 30'$ of north latitude, from which begins the great lumbering regions of the Mississippi, interspersed with innumerable small lakes.

The surveyor general recommends the extension of the public surveys over the pine lands of the upper Mississippi river, north of the Mille Lacs, situated on both sides of the river, on account of the depredations of lumbermen, who, he reports, would probably buy the lands if brought into market.

That officer also suggests the subdivision of about fifteen townships in the northwestern land district, to meet the wants of settlements continually formed on the important line of communication now opened with the northwest, lying in the fork of Sioux Wood river and Red River of the North; also some twenty-five townships in the southwestern corner of the State, where township lines have just been surveyed. With this in view, he submits an estimate of \$58,246. Owing to the large quantity of surveyed lands in the State not yet disposed of, and the probable heavy pressure upon the government finances during the next year, the department estimate is reduced to \$8,000, to keep in operation the surveying machinery on an economical scale during the next fiscal year, and to afford an opportunity to bring the office work of that surveying district up, and hereafter keep it up with the progress of surveys in the field.

The surveyor general reports that surveys under the appropriation of \$50,000, per act of March 2, 1861, of which there has been assigned by this office to his surveying district the sum of \$13,000, have been contracted for to the full extent of the means provided, and that the deputy surveyors are in the field actively engaged in their duties.

MISSOURI, LOUISIANA, FLORIDA.

The surveying operations in Missouri, Louisiana, and Florida, represented in the last annual report as nearly completed, have since been brought to a close in the State of Missouri; and such would have been the case in the States of Louisiana and Florida had it not been for the interruption of the surveying service there caused by the disturbed condition of those States.

The surveyor general of Louisiana left his office on the 6th February, 1861, announcing his intention to deliver over the archives of the office to the State authorities.

The surveyor general of Florida reported on the 10th January, 1861, that his connexion with the government had ceased on that day, and the surveying archives in his office were placed by him under the control of the State authorities.

The surveys of the public lands and confirmed private claims in the States of Missouri, Louisiana, and Florida may be considered as virtually completed, and no longer requiring the continuance there of the offices of the surveyors general.

Any fragmentary surveys which, at a future day, may be required, can be accomplished under the direction of the Commissioner of the General Land Office, conformably to the provisions of the laws of Congress of January 12, 1840, and January 22, 1853.

The surveying archives for the State of Missouri, as well as Illinois, now in the office of the surveyor general at St. Louis, Missouri, will be ready before the expiration of the present fiscal year, to be delivered over to the authorities of those States; should, however, no provision of law be enacted by the respective legislatures for their reception, it is proposed by this office, on the discontinuance of the surveyor general's office, on the 30th of June, 1862, or earlier, to place those *archives* in the custody of the recorder of land titles at St. Louis, Missouri, for ultimate delivery to the State authorities.

The surveying estimates presented by the surveyors general of the different surveying districts are exhibited in the accompanying transcripts of their reports, in connexion with the estimates submitted by this office, the former being largely in excess of those determined upon by the department, which it will be seen are quite limited.

The reasons for the submission of such reduced estimates are these:

First. The pressing accumulated and increasing demands at this time upon the public treasury, growing out of the war for the defence of the Union, taxing the resources of the government to an extraordinary extent.

Second. That there are large quantities of public lands now surveyed and open to sale and settlement, yet the diminished receipts from the same show that the supply is greatly in excess of the demand.

Third. In this period of disquietude and excitement in public affairs, the treasury may expect but little from the investment of capital in the public lands, and equally inconsiderable results from emigration, kept back as it is by like causes from the wide fields of the public domain.

Then, in regard to actual settlers, the frontier men, those in the military service of the republic, and those tilling the earth, there can be no good reason for hastening surveys, because, by doing so, they are first forced to file their pre-emption declarations within a limited and brief period from the date of survey, or run the risk of forfeiture; then by survey, the lands covered by their settlements are rendered liable to proclamation of public sale under existing laws, the effect of which would be to shorten their credit, by forcing payment, with penalty of forfeiture, before the day of public sale. In the present conjuncture of public affairs, it would be no benefit, but a prejudice, to any just interests, public or

private, to enlarge the surveying appropriations; but, on the contrary, sound policy and justice to all interested, suggest that surveys shall advance according to the requirements of actual settlers, seeking to perfect their titles by purchase and patent, the supply of fresh land to bear some reasonable ratio to the probable demands.

Private land claims, embracing titles derived from former governments, and donations under the laws of the United States.

From the mass of the public lands titles of this class are segregated, not only to secure and protect owners confirmed in such claims, but also to enable the government to dispose of such lands as unincumbered public property.

The labors in this branch of the service have been lessened by the suspension of business with the States of Alabama, Mississippi, Louisiana, and Florida, and the closing of the land offices in those States, by which proceedings that had been commenced for indemnity to claimants in cases of unsatisfied confirmed private claims, under the act of June 2, 1858, were arrested, as well as those for carrying out the liberal provisions for the adjustment of similar claims under the act of June 22, 1860.

The business connected with donation claims in Oregon and Washington Territory, under the acts of 1850, 1853, and 1854, is progressing in a satisfactory manner; cases, however, frequently occur of conflict of rights and boundaries, leading to much litigation among claimants, and demanding care and labor in their investigation. This is more especially the case with claims which were located in advance of the United States surveys, and where but little care was exercised by settlers in distinctly marking their corners, or limits, or in giving proper descriptions of their lands.

The act of June 14, 1860, to define and regulate the jurisdiction of the courts in regard to private land claims in California, has relieved this office of the difficulties consequent upon the adjustment of questions of survey and location of those claims; such questions being, under that act, brought within the jurisdiction of the United States district courts for that State.

Upon approved surveys of confirmed Spanish and Mexican claims in California, patents have been issued to the extent of 1,746,574 acres.

Surveys of confirmed private claims and pueblos in New Mexico are now coming in, and such are the arrangements of this office that patents for all such claims found regular can speedily issue.

The pre-emption principle recognized in the early legislation of our country, has ripened into a permanent system, having its broad foundations laid in the act of Congress approved 4th of September, 1841.

In the expansion of the system and its application to unsurveyed lands in the new States and Territories, some irregularities have arisen, suggesting legislative intervention. For instance, in Kansas and Nebraska, where unsurveyed lands are claimed by pre-emptors, notice of the specific tract claimed is required to be filed within three months "after the survey has been made in the field." (12th section act July 22, 1854.)

In the 7th section of the same law, extending the pre-emption act of 1841 to New Mexico, it is required that in all cases where the settlement was made before the survey, the settler shall file his declaration within three months "after the survey is made and returned," which practice holds to be the date of the approval and return of the survey. A like requirement to this exists by the act of August 4, 1854, in regard to Minnesota.

The 3d section of the act of 17th July, 1854, extending the pre-emption act of 1841 to the then Oregon and Washington Territories, directs that all settlers there, on unsurveyed lands, shall give notice to the surveyor general, or other

duly authorized officer, of the particular tract claimed under that section "within six months after the survey of such lands is made and returned."

It is recommended that the rule in regard to the period of filing on such lands should be made uniform; the period, say three months, to take date in all cases from the approval of the township plats.

In the 6th section of the act of Congress approved 3d March, 1853, extending the pre-emption rights to California, there is a proviso that nothing in that act shall "be construed to authorize any settlement to be made on any public lands not surveyed, unless the same be made within one year from the passage" of that "act, nor shall any right of such settlers be recognized by virtue of any settlement or improvement made of such unsurveyed lands subsequent to that day." The act of 1st March, 1854, extends the period to "settlements made prior to and within two years after that date." So that settlements upon unsurveyed lands in California are restricted by limitation in the statute to 1st March, 1856, which restriction it is recommended be repealed.

It is proper here to state, however, that it has been held that where persons are found residing upon any of the unappropriated public lands in California subject to pre-emption settlement, "*after the survey*, where settlements were made since 1st March, 1856, and before the survey, such persons will be regarded as legal settlers *from and after the survey* of the settled lands has been made in the field, and not before that time; such settlers being required to file their declaratory statements within three months after the reception of the township plats at the district land office.

It having been decided that all lands falling within the incorporated limits of a town are excluded from agricultural pre-emption, it is recommended that a law be passed defining the extent thus excluded as an urban claim, say 320 acres, the maximum allowed to town site pre-emptions by act of 23d May, 1844, and that all subdivisions within each corporate limits, in excess of the town site proper, as thus restricted, shall be laid open to ordinary pre-emption; provided there are no town improvements on such excess subdivisions; and that where there are such improvements in an excess subdivision, the tract shall be disposed of only by public auction.

To guard the beneficent provisions of the pre-emption laws from abuse, and restrict them to the great object of protecting only the *bona fide* actual settlers of the country, it is recommended that no one shall be allowed to prove up until after at least three months' settlement, cultivation, and actual residence upon the tract claimed.

The attention of this office has been drawn to the condition of persons claiming pre-emptions, wishing to enlist in the military service of the United States during the war, and who were desirous of ascertaining whether such pre-emptions will be protected during the absence of the claimants.

Entertaining no doubt of the justice of the principle which would protect the interests of claimants under such circumstances, it has received the sanction of this office, with this qualification: that the pre-emptor is an actual resident upon and cultivator of the tract claimed; has filed his declaratory statement, and in all things shall have fully met the requirements of the pre-emption law *up to the period* of his entrance into the military service of the country, for its defence and the maintenance of the government. In that case we hold that the time of actual service will not run against him, so as to result in forfeiture, provided notice of the time of entry into and termination of service is promptly filed with the register and receiver, and such steps are taken as will show a *bona fide* intention to return to the tract by leaving his family on the land, where he has one, and where no family, that the premises shall be placed in proper charge for the pre-emptor; so that residence and cultivation shall be continued when the military service is at an end; and then, where the pre-emption law in all other respects shall have been fully complied with, the grounds of exemption

should be established when the proving up takes place as preliminary to payment and actual purchase.

In the event of the death of a pre-emption claimant, the 2d section of the act of 3d March, 1843, has already made provision, by declaring that "where a party entitled to claim the benefits of any of the pre-emption laws should have died before consummating his claim, by filing, in due time, all the papers essential to the establishment of the same, it shall be competent for the executor or administrator of the estate of such party, or one of the heirs, to file the necessary papers to complete the same: *Provided*, That the entry in such cases shall be made in favor of 'the heirs' of the deceased pre-emptor, and a patent thereon shall cause the title to enure to said heirs, as if their names had been specially mentioned."

GRADUATION ACT OF 4TH AUGUST, 1854.

This law cheapens, with certain limitations, the price of public lands which have been in market for specified periods to the actual settlers, who are required, before making the entry, to file their affidavits that the purchase is made for actual settlement and cultivation.

The ruling of the department further requires, that before the delivery of the patents proof shall be filed that such actual settlement and cultivation have been made. This ruling now applies to all such entries made *since* the 3d March, 1857—Congress, by a law of that date, having legalized all entries, *prior to its passage*, in which the purchaser had made the affidavit and paid the purchase money, as required by the said act of 1854 and official instructions; except where such entries were ascertained to have been fraudulently or evasively made. Therefore, all claiming under the graduation act of 1854, who have made entries subsequent to the said act of 3d March, 1857, are required to make proof before their patents are delivered, that they have made actual settlement and cultivation on the tract thus entered.

Information having been called for, also, in regard to the course to be pursued, in reference to settlers under this law, who were desirous of enlisting as volunteers in the war, this office has prescribed the following regulation:

In all cases where such affidavits have been duly filed, the entries actually made, and the parties have done no subsequent act to show that such entries are not *bona fide* under the law, the time of their actual continuance in the military service will not be counted to their prejudice, provided an affidavit is filed with the register by the purchaser, stating the date of the entry of the party into the United States service, with the particulars. Thereafter the matter will stand in abeyance. Such entries will not be declared forfeited, until an opportunity is afforded to the purchasers, who may return to their settlements, to show they have done so, and complied with the spirit and intent of said act, by actual settlement and cultivation, which are now prerequisite to the delivery of the patents.

In case the purchaser should be killed, or die in actual service, upon presentation of satisfactory evidence of the fact, and of some act tending to show the *bona fide* intention of the decedent to fulfil the requirements of the law, his claim will be confirmed to his heirs or legal representatives.

Legislation, however, is recommended, providing that hereafter, before parties shall be allowed to enter under the graduation act of 1854, proof of actual settlement and cultivation shall be made to the satisfaction of the register and receiver.

The effect of this will be to prevent abuses and limit the benefits of the law, and disposal of lands at low rates, to *bona fide* settlers.

Military bounty land claims for services during the American revolution, under the war of 1812 with Great Britain, under act of 1847, for services in the Mexican war, and under the other bounty land laws of 1850, 1852, 1855.

The history of our country shows the liberality of Congress in dealing with the officers and soldiers of every war in which we have been engaged.

The United States assumed the military land obligations of Virginia and, according to the terms of cession, what is known as the *Virginia military district in Ohio* was set apart and appropriated for the satisfaction of warrants issued by that State for services in the continental line. This district comprises an area of 3,709,848 acres, situate northwest of the river Ohio, between the Little Miami and Scioto rivers. It embraces in whole or in part the counties of Adams, Brown, Clermont, Clinton, Fayette, Highland, Madison, Union, Marion, Delaware, Franklin, Pickaway, Ross, Pike, Scioto, Hamilton, Warren, Green, Clark, Champaign, Logan and Hardin, and Virginia military land warrants to the extent of some 3,670,000 acres have been located therein; leaving a residuum of some 40,000 acres, which is the property of the United States, having been granted to the general government by the State of Virginia, December 9, 1852, as one of the considerations and conditions of and for the passage of the scrip act of August 31, 1852, by which all warrants fairly and justly issued and allowed by the authorities of the State of Virginia, prior to March 1, 1852, can be commuted into scrip, and the latter satisfied by location upon any of the public lands of the United States subject to sale at private entry.

No disposition has been made of the vacant, unappropriated lands in this district, being small irregular fractional pieces, and of comparatively little value.

Perhaps the best mode of disposal of these fragmentary parcels would be to allow them to be located with outstanding warrants by conterminous proprietors, in lieu of scrip, or that adjacent proprietors may have the right to purchase at a low minimum, or if not, it has been recommended to turn over the residuum to the State for educational or benevolent purposes.

The act of 3d March, 1855, in regard to Virginia continental line warrants, which had been entered in the Virginia military district, Ohio, allowed until 3d March, 1857, within which the claimants were permitted to "make and return their surveys and warrants, or certified copies of warrants, to the General Land Office," such returns being the basis indispensably prerequisite to the issue of patents.

Now, as there are a number of entries or locations of such warrants actually made before the aforesaid 1st January, 1852, which have not yet been surveyed, it is but just and proper that further time be given for that purpose, otherwise their acknowledged inceptive rights cannot be consummated by a title in form.

Under the scrip laws of 1852, embraced in the foregoing, scrip has been issued for the year ending 30th September, 1861, in virtue of said act, for 80,628 acres; making, with the quantity heretofore issued, a total sum of 938,054 acres. There are now pending before this office claims equal to 153,356 acres incomplete as to proof, and yet to be perfected before scrip can issue.

From a careful examination it is estimated that all outstanding Virginia warrants, liable to commutation into scrip, will not exceed 100,000 acres. This estimate comprises warrants in the Virginia register's office, uncalled for, undrawn; warrants located in Kentucky and Ohio, and lost by interference with senior claims; duplicate warrants, and the balance of 10 per cent. yet due upon warrants commuted into scrip under act 3d March, 1835, which had been satisfied only to the extent of 90 per cent., by reason of the limitation in the land appropriation by that act.

The insurrectionary attitude assumed by the controlling authorities of Virginia, will not, of course, prejudice the claims of loyal citizens, anywhere, lawfully entitled to scrip in satisfaction of their warrants.

In dealing liberally with the earlier obligations contracted by Virginia and assumed by the federal government, the United States were not unmindful of the claims of the officers and soldiers who entered her own service during the American revolution.

We find, therefore, that, by the act of September 16, 1776, Congress promised certain gratuities, in land to the officers and soldiers serving upon their establishment in the revolutionary war, and by the act of June 1, 1796, appropriated a tract of land known as the "*United States Military District, Ohio*," of about 4,000 square miles, or 2,560,000 acres, embracing within its limits, in whole or in part, the counties of Tuscarawas, Guernsey, Muskingum, Monroe, Coshocton, Holmes, Knox, Licking, Franklin and Delaware.

The land warrants granted by the United States, under the act above mentioned, were located exclusively in this military district, until after the passage of the scrip act of May 30, 1830, by which the revolutionary warrants, issued either by the general government or by the commonwealth of Virginia, could be exchanged for scrip, and the same located either in Ohio, Indiana or Illinois.

The United States military warrants could also be located in the said district up to July 3, 1832, when it was provided by an act of Congress that all the vacant lands therein should be made subject to private sale, and the same were disposed of accordingly.

Since that time these United States warrants could either be converted into scrip, under the said act of May 30, 1830, or the same could be located upon any of the public lands subject to sale at private entry, as the parties in interest might prefer. The right to locate, under act 22d June, 1860, however, expires by limitation of law, June 22, 1863, and no warrant of this class has been issued since June 25, 1858, the further issue thereof being then interdicted. There are now on file warrants of this description equal to about 600 acres, incomplete in proof, and but very few outstanding.

WAR OF 1812 WITH GREAT BRITAIN.

By the provisions of the act of May 6, 1812, a quantity of land, not exceeding 6,000,000 of acres, was directed to be surveyed, reserved and set apart for the purpose of satisfying the land bounties promised by the acts of December 24, 1811, and January 11, 1812—2,000,000 acres to be surveyed in the then Territory of Michigan, 2,000,000 in the Illinois Territory, and 2,000,000 in the Territory of Louisiana, between the river St. Francis and the river Arkansas.

By the subsequent act of Congress approved April 29, 1816, it was declared that so much of the act of May 6, 1812, as directed that 2,000,000 acres should be surveyed, &c., in the Territory of Michigan, should be repealed, and that in lieu thereof 1,500,000 acres should be laid off in the Illinois Territory, and 500,000 acres in the Missouri Territory, north of the river Missouri. The great mass of warrants issued for that service has been satisfied under a lottery system, by locations in Illinois, Arkansas and Missouri. The issue of such warrants, however, ceased 25th June, 1858, by limitation, in the act of 8th February, 1854, and even the right to locate them expires 22d June, 1863, that being the limitation fixed by the aforesaid act of 22d June, 1860, which limitation should be repealed.

The aggregate bounty land liabilities already satisfied by the United States, from the commencement of operations to 30th September, 1861, are as follows :

For revolutionary services, located tracts and scrip	8,200,612 acres.
War with Great Britain	4,850,120 "
Canadian volunteers	72,750 "
Actually located prior and up to 30th September, 1861, under Mexican bounty land act of 1847, and the other acts of 1850, 1852, 1855	51,138,970 "
Total	64,262,452 "

SWAMP AND OVERFLOWED LANDS.

Under the acts of Congress of 2d March, 1849, 28th September, 1850; the indemnity act of 2d March, 1855; the confirmatory and indemnity act of 3d March, 1857, and the act of 12th March, 1860, restricting swamp selections to lands not sold or located, and limiting the period within which selections are to be made.

The grant, by act of 1849, was limited to the State of Louisiana. Its purpose was to aid the State in "constructing the necessary levees and drains to reclaim the swamp and overflowed lands," by granting her lands of that class found unfit for cultivation. It contemplates a careful examination of such lands to determine their true character, and provides for the certification of those lands by lists approved by the Secretary. Such lists convey the title and become equivalent to a patent, in virtue of the provisions in the act of Congress, approved 3d August, 1854, vesting "in the several States and Territories the title in fee of the lands which have been or may be certified to them."

This act of 1849 was succeeded by the general law of 28th September, 1850, first extending the swamp grant to Arkansas by special designation, and then declaring its provisions and benefits should "be conferred upon each of the other States of the Union in which such swamp and overflowed lands" may be situated.

The said act of 1850 cumulated the swamp interest in favor of Louisiana, and by its general terms includes Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi, Iowa, Michigan, Florida, Wisconsin, California; the act of 1860 further extending the same to Minnesota and Oregon. From the date of these grants to the 30th September, 1861, the aggregate swamp claims of the said States cover 57,895,577.40 acres, of which 44,481,004.30 acres have been approved, and 32,134,825.01 acres have been duly patented.

The moneys already paid over to the States under the indemnity act of 2d March, 1855, on account of lands sold by the United States, which were claimed as swamps, amount to \$276,126 50.

Besides this, the certificates which have been issued as *land* indemnity in new locations, on account of tracts covered by bounty land warrants, cover

145,595.92 acres.

Under the indemnity certificates of new locations issued to

Wisconsin there have been patented to the State..... 34,910.75 "

To *Indiana*..... 4,839.20 "

There are now pending, and under examination, five claims for cash indemnity in Iowa and Illinois, amounting to \$29,938, with a land indemnity for Illinois

17,629.99 "

In addition to these there are now on file for examination and decision eighty-two cases of applications for indemnity in cash, and other lands for Illinois and Iowa equal to about \$112,500. Do. do. do.....

283,800.00 "

On the 2d January, 1861, the conflicting claims for lands in the New Orleans and Opelousas districts, Louisiana, arising under the swamp grants, and the grant of 3d June, 1856, for railroad purposes, were taken up and determined

in accordance with the principles laid down in the decision of the Secretary of the Interior of the 8th February, 1860. This action resulted in the rejection of the State's claim under the swamp law to 73,788.70 acres of land, to wit: 45,551.44 acres in the New Orleans district, and the balance, 28,237.26 acres in the Opelousas district.

The authorities of the State were immediately advised of this rejection, and since then the lands were certified to the State under the railroad law.

The interfering claims of the same nature within the limits of one line of the railroads in the State of Iowa, under the grant of May 15, 1856, are now in course of adjustment, "the field-notes of the surveys and other evidences of file and of record" being now under examination. There being four lines of railroad extending from the Mississippi to the Missouri, the work is very extensive, and great care is necessary properly to adjust and determine conflicting interests.

The preparation of the lists of this class of lands as the basis of similar action along the lines of the three other roads is progressing rapidly to completion.

The swamp land lists reported from the State of Alabama, in the St. Stephen's district, on the 6th January, 1861, were taken up as soon as received, and two lists prepared for approval, embracing in the aggregate 204,661⁸¹/₁₀₀ acres of land, but remain on the files, in view of the position assumed by the State in the secession ordinance. On the 20th April, 1861, a list, numbered 2, of lands in the Washington district, Arkansas, covering 81 pages, and embracing 229,928⁷¹/₁₀₀ was submitted for approval.

This list remains on the files of the department. There are also on our files 9 patents for swamp lands, viz: 2 for Florida, 2 for Mississippi, and 5 for Louisiana, embracing in the aggregate 351,410³²/₁₀₀ acres, which have been retained because of the rebellion in those States.

The State of California has not yet presented lists of her lands. This is the case, also, with Oregon and Minnesota, the two last under the act of March 12, 1860.

During the past year there have also been prepared and approved 18 lists of lands, embracing 190 pages, and certified copies of the same have been furnished to the governors of the States in which the lands are situated, as well as to the local land officers of the proper districts.

There have been prepared for the same period 27 patents, each a volume, making of record 178 pages. And lists have been made out as basis for indemnity under act of March 2, 1855, covering 320 folio pages.

In the examination of the suspensions of the numerous cases of entries and locations conflicting with the State's claim, it is necessary to inspect critically the field notes of the surveys, and the topography delineated on the plats. In this action, so far as the lands have been reported since the date of the confirmatory act of March 3, 1857, and disposed of by the government since that date, we hold to the principle that the entry is *prima facie* evidence that the lands are not swamp within the meaning of the law; and unless the field notes and plats show that some contiguous or adjacent river may be the cause of the swampy and overflowed condition of the lands, and this not casual or temporary, the State's claim is rejected and the entry affirmed.

The main difficulty we encounter in our present action under swamp grants relates to the claims continually arising as antecedent to the indemnity acts of March 3, 1855, and March 3, 1857, in which large claims already have been presented in the aggregate, as hereinbefore shown, of \$112,500, and 283,800 acres.

These claims have been preferred on *ex parte* affidavits, not unfrequently in localities where there is no river or other natural cause appearing to produce inundation. In regard to any and all claims of this class, it is due alike to the claimants and to the interests of the United States that the matter should be very thoroughly investigated; and hence this office, with your sanction, subjects

all claims of this class to such scrutiny as will remove doubt touching the character of the lands, and secure the ends of justice to all concerned.

RAILROAD GRANTS, ACTS 1856, 1857.

During the fiscal year ending June 30, 1861, there have been certified for railroad purposes, as follows:

	Acres.
To Minnesota	308,871.90
To Michigan	636,061.42
To Louisiana	76,560.45
Making in the aggregate	<u>1,021,493.77</u>

No approvals during the quarter ending September 30, 1861.

The following is an exhibit of the States and the quantities of land under the several grants actually approved to each, up to this date:

	Acres.
Iowa, same as last annual report	2,431,541.00
Wisconsin, same as last annual report	211,063.00
Minnesota, (308,871.90 acres of this approved since last report) ..	890,775.90
Michigan, (462,650.15 acres of this approved since last report) ..	1,593,727.42
Florida, same as last report	1,759,160.00
Alabama	1,868,275.00
Mississippi	171,550.00
Louisiana, (76,560.45 acres of this approved since last report) ..	1,072,405.45
Making a total which has been approved and certified of	<u>9,998,497.77</u>

MINERALS.

No country on the globe can compare with this in teeming mineral treasures, everywhere developed as the administration of the land system advances over the broad surface of the public domain. Besides the precious metals, with quicksilver found in such abundance in California, which alone has yielded since the first gold discoveries over \$600,000,000, we have regions rich in those metals in New Mexico, Nevada, Washington Territory, and Colorado.

Then we have the useful metals of copper, tin, lead, iron, and that element of power, coal, profusely distributed over the great valley of the Mississippi, and westward to the Pacific.

Congress, in legislating upon the public lands, has dealt in some specialty with minerals, but yet has prescribed no general rule of administration in regard to them.

In the ordinance of 1785, for the disposal of lands in the "Western Territory," it is ordered that there shall be reserved "one-third part of all gold, silver, lead, and copper mines, to be sold, or otherwise disposed of as Congress shall hereafter direct." Some fifteen years afterwards, authority of law was given for leasing such lands. At a later period, in 1807, the power to lease was confined to lead mines. In the Canadian bounty land act of 1816 lead mines and salt springs were excluded from location, and by an act of the same year, "relating to settlers on the public lands of the United States," no permission to work a lead mine or salt spring could be given without the approbation of the President.

By the act of 3d March, 1829, However, Congress conferred authority on the

President to expose to sale as other public lands "the reserved lead mines and contiguous lands in the State of Missouri"—with this qualification: that at least six months' public notice should be given "with a brief description of the mineral region in Missouri and the lands to be offered for sale, showing the number and the localities of the different mines," then "known, the probability of discovering others, the quality of the ore, the facilities for working it, the further facilities, if any, for manufactures of shot, sheet lead, and paints, and the means and expense of transporting the whole to the principal markets of the United States."

Thereafter, by an act approved 11th July, 1846, Congress ordered "the reserved lead mines and contiguous lands in the States of Illinois and Arkansas and" then "Territories of Wisconsin and Iowa" to be exposed to sale as other public lands, with this exception: that six months' notice be given, with brief description of the mineral region as required by the act of 1829, respecting Missouri; stipulating further that such lands should not be subject to pre-emption until after public offering, and subject to private entry; that upon proof to the register and receiver of any tract containing lead ore, and of being so worked, no bid should be received at less than \$2 50 per acre, but if not sold at that price, nor entered at private sale within twelve months thereafter, to be subject to sale as other public lands.

By an act of 1st March, 1847, Congress ordered the organization of the Lake Superior district in the upper peninsula of Michigan, directed that a geographical examination and survey be made of those lands, and conferred authority on the President for the public sale after six months' notice of such land as contained "copper, lead, or other valuable ores," with description of locality of mines, &c., the minimum price at public sale to be \$5 per acre, and where not thus disposed of at public action, to be subject to private sale at that price.

By the act of 3d March, 1847, the Chippewa land district in Wisconsin was organized, a geological examination and survey ordered, and the lands disposed of in like manner to those in the Lake Superior district, in Michigan.

Some three years subsequently, however, the act of 26th September, 1850, ordered the mineral lands in the Lake Superior district, in Michigan, and Chippewa district, in Wisconsin, to be offered at public sale in the same manner, at same minimum, and with same rights of pre-emption as other public lands, but not to interfere with leasing rights.

In pursuing the history of legislation in respect to this interest, it is found that Congress, in the act of 27th September, 1850, creating the office of surveyor general of Oregon, providing for surveys and making donations to settlers, directs that "no minerals lands, nor lands reserved for salines, shall be liable to any claim under and by virtue of the provisions" of that act. This embraces the present Washington Territory. Then, in the 14th article of the treaty with Peru, concluded on 26th July, 1851, it is agreed upon that "Peruvian citizens shall enjoy the same privileges in frequenting the mines, and in digging or working for gold upon the public lands situated in the State of California, as are or may hereafter be accorded by the United States of America to the citizens or subjects of the most friendly nations."

Subsequently Congress, in providing by the act of 3d March, 1853, "for the survey of public lands in California, the granting pre-emption rights therein, and for other purposes," directed that "none other than township lines shall be surveyed where the lands are mineral or are deemed unfit for cultivation;" excluding in express terms "mineral lands" from the pre-emption act of 4th September, 1841, and further interdicting "any person" from obtaining "the benefits of this act by a settlement or location on mineral lands."

By the 4th section of the act of 22d July, 1854, to establish "the offices of surveyor general of New Mexico, Kansas, and Nebraska, to grant donations to actual settlers therein, and for other purposes," it is directed that "none of the

provisions of" that "act shall extend to mineral or school lands, salines, military, or other reservations, or lands settled on and occupied for purposes of trade and commerce and not agriculture."

In addition to the foregoing enactments, there is the great prospective pre-emption act of September 4, 1841, the 10th section of which expressly declares that "no lands on which are situated any known salines or mines shall be liable to entry under and by virtue of the provisions of" that act. Such is a brief glance at antecedent legislation respecting lands containing mineral.

In regard to the precious metals in California, New Mexico, Nevada, Washington Territory, and Colorado, we have not such data as will enable this office to propose a properly guarded system by which the government understandingly can dispose of auriferous or of quicksilver lands in a manner that would be just to public and private interests. It is therefore not now proposed to withdraw them by legislation from the state of isolation from sale in which the law has placed them, or from being freely worked, as at present; yet in this trying conjuncture of public affairs, when multiplied demands upon the treasury weigh upon it with unprecedented pressure, it could not be deemed unreasonable, after the hundreds of millions of dollars allowed to be taken free of cost, if the government should hereafter subject the product of such mines to a moderate seigniorage, which it is believed would bear upon capital without prejudice to the individual miner.

In reference to lands embracing copper, tin, lead, iron, and coal, it is suggested that where either mineral is the predominant element in the smallest legal subdivision, such tract shall be subjected to public sale, according to the principles laid down in the acts of 1846 and 1847, with the qualification that the uniform minimum shall be \$2 50 per acre at the public sale; that thereafter they shall be liable to private entry at same minimum, say for two years; after which they shall be liable to sale at the ordinary minimum, but not subject to the declining process of the graduation law.

In the geological reconnoissance of the late Dr. Evans in Oregon and Washington immense discoveries of coal fields in that region were made. This great industrial agent is also distributed by the liberal hand of nature throughout the gold region.

The recent discoveries of coal fields not far from San Francisco, and of that scarce and valuable metal, *tin*, but few mines of the latter having been discovered, although known in the early history of man, yet which is now found to exist in the southwestern part of California, within thirty miles of the sea, furnish powerful incentives to capital, promising rich rewards to the enterprising.

Instructions by further legal enactment would enable the department to deal with these large and delicate interests more satisfactorily than can be done under existing laws.

There are, however, now liable to sale at the ordinary minimum of \$1 25 per acre, extensive bodies of lands in the Lake Superior region of the upper peninsula of Michigan, ribbed with iron, the depth and extent of which it would be difficult to estimate. Those lands are surveyed into the smallest legal subdivisions known to the law, and may now be purchased even in 40-acre parcels, holding out great inducements to capitalists; for it is known that this most useful of metals is employed to a greater extent for the ordinary purposes of life than all other metals put together. Indeed, it is estimated that a bar of iron worth five dollars, advancing for different valuations according to different forms of utility and cost of labor, finally may reach to the value of a quarter of a million of dollars when fashioned into watch hair-springs, as it then becomes of higher valuation, weight for weight, than even gold itself.

The Lake Superior iron, for ordinary utensils, for instruments, for machinery of less extent up to the stupendous engines used on land or water, or in the manufacture of small arms or ordnance of any size, is, on the score of ductility

in manufacturing, and in density, toughness, and native properties of steel, without its equal yet known in this or any other country, as the analysis and test of its quality have already demonstrated.

EASTERN BOUNDARY OF CALIFORNIA.

On the 9th July last the Secretary of the Interior devolved upon this office the supervision and direction of the further prosecution of the field and other operations connected with the running and marking of the boundary lines between the Territories of the United States and the State of California, as provided by the act of Congress approved May 26, 1860. The supervision of this work had previously been exercised by a "superintendent" in the department proper; and it appears by the papers transferred here that the further prosecution of the work in the field, as far as the United States are concerned, was temporarily suspended by the order of the Secretary of April 1, 1861, to the commissioner appointed to conduct that work, who, on the 15th May, was removed from office. Since that change no further steps have been taken for the prosecution of the work, and the action of this office has therefore been confined to the administrative examination of the accounts presented by the late boundary commissioner for the expenses of the service, which examination has been completed, and the accounts sent to the Fifth Auditor of the Treasury for settlement.

It appears that of the \$55,000 originally appropriated for this work on the part of the United States the sum of \$37,551 19 was placed in the hands of the late boundary commissioner, for the expenditure of which he has presented accounts and vouchers, as well as a statement of outstanding indebtedness, which will nearly or quite absorb the remainder of \$17,448 81.

No returns have as yet been made to this office of any of the work connected with this service; but from the correspondence with the boundary commissioner, and the late astronomer, I learn that no progress was made under the commission further than the fixing of one of three initial points, viz: the intersection of the 35th parallel north latitude with the Colorado river. By a letter, however, from the astronomer, dated San Francisco, August 2, 1861, it appears that after the supervision of the commissioner ceased the former proceeded, by astronomical observations at San Francisco, and the use of the telegraph, in connexion with the commissioner appointed by the State of California, to fix the northern initial point in the Washoe region, and that he was about to proceed to Lake Bigler to fix the initial point there. On the 30th of August the astronomer acknowledged from Lake Bigler the reception of a letter from the Secretary of the Interior relieving him from duty, and reported that the field astronomical duty was completed, and that "it only remains, after the computations are made, to run the line, which any surveyor can readily accomplish."

The original project of this work, submitted by this office to the late Secretary, under date June 8, 1860, copy herewith, contemplated its execution and completion by contract, competent parties having offered so to complete it for the amount originally appropriated, \$55,000. That sum would have been ample for the completion of the work in the most accurate and durable manner had it been honestly and prudently devoted to that purpose. Instead of which the whole sum placed at the disposal of the boundary commission, viz: \$37,551 19, has not only been squandered, but liabilities to the additional amount of \$34,416 21 have been incurred by the persons in charge of the survey, whilst the whole of the astronomical work done could have been easily accomplished for an amount inside of \$10,000. Mr. Mowry himself, on the 4th of August, 1860, having estimated the cost of a more extended expenditure on account of the work at only \$21,300; to accomplish which, he now claims

to have expended, as shown above, as the amount advanced to him by the department of the Interior.....	\$37,551 19
Liabilities reported	34,416 21

71,967 40

But, as before shown, \$37,551 19 has for the present passed beyond the control of the treasury, and before the final adjustment of the accounts already presented, as well as of those now outstanding, it is impossible to say how much, if any, of the \$17,448 81 remaining in the treasury may be applicable to the future prosecution of the work. Nor until the work already done shall have been submitted to this office for its examination can the amount necessary for the completion of the survey be stated with any degree of accuracy; but, in my opinion, the most certain, effective, and economical mode of reaching that completion will be by contract, as originally suggested by this office.

BOUNDARY BETWEEN THE STATE OF OREGON AND WASHINGTON TERRITORY.

By the act of Congress approved 25th June, 1860, "for the survey of the forty-sixth parallel of north latitude, so far as it constitutes a common boundary between Oregon and Washington Territory," the sum of \$4,500 was appropriated.

This line is to start from the middle channel of the Columbia river, where it is intersected, in the vicinity of Walla-Walla, by the forty-sixth parallel of north latitude, thence due east to the main channel of Snake river; estimated distance ninety miles.

On the 15th December last this office submitted to the department a proposition for making the survey by contract for \$4,000, including all expenses.

The matter was favorably entertained, but coupled with the suggestion that, should the survey be regarded as not of absolute present necessity, its execution, in view of financial embarrassments, might be deferred until an exigency should imperatively demand it, and it has accordingly for the present been deferred.

BOUNDARY LINES BETWEEN THE TERRITORIES OF THE UNITED STATES AND TEXAS.

By an order of 27th July, 1861, the Secretary of the Interior transferred to this office the supervision and control of the business connected with the United States and Texas boundary, and on the 3d August, 1861, I directed the transfer, which has been effected, of the archives and personnel, to the apartments of the General Land Office, in the west wing of the Patent Office building.

The act of Congress approved 5th June, 1858, conferred authority on the President to appoint a suitable person or persons, who, in conjunction with person or persons to be appointed by the State of Texas, were required to run and mark the boundary lines between the Territories of the United States and Texas, the following four lines to be established:

1. Beginning at the point where the 100th degree of longitude west from Greenwich crosses the river, thence north to the point where said 100th degree of longitude intersects the parallel of $36^{\circ} 30'$ north latitude;

2. Thence west with said parallel of $36^{\circ} 30'$ to the point where it intersects the 103d degree of longitude west from Greenwich;

3. Thence south with said 103d degree of longitude to the 32d parallel of north latitude;

4. And thence west with said 32d parallel to the Rio Grande.

The 2d section of the act requires such "landmarks" to be established at the point of beginning, and at the other corners, and on the several lines of the

boundary, as may be agreed upon by the President and those acting under authority of Texas, and the 3d section of the law makes an appropriation of \$80,000 00
 The amount expended on the work from its commencement to 30th September, 1861, is..... 73,250 81

Leaving at that date an unexpended balance of..... 6,749 19

I learn from a report of the 30th September, 1861, elicited by a call from this office on the boundary commissioner, that his field operations are terminated, and such advances made in office details as justify the expectation of the speedy closing up of the whole business.

In the internal administration of this office the system adopted in regard to the reception of official papers is complete and effective. The general register indicates, in brief, the contents of every document, as daily received, and with references so arranged as to secure promptitude of action.

The posting in our ledgers of sales, selections, military locations, with the adjustments of accounts of receivers, disbursing agents, surveyors, deputies, and others connected with the department, from Washington to the most distant points, has been advanced to recent dates; and although the very large details consequent upon the heavy land operations of ordinary times are diminished by causes of public notoriety, for which an adequate temporary reduction of force has been made, yet the labor incident to the examination and adjudication of contested cases, involving grave interests, is constant, and without material diminution. These are the necessary results of the diversity of land legislation connected with foreign titles, donations, sales, internal improvements, pre-emptions, rural and town site graduation, railroads, swamps, bounty land claims—questions reaching back even to claims of revolutionary times. The growth of our country, the increasing value of land estate, bring to the cognizance of the department for determination numerous causes dependent for adjustment upon a careful analysis of facts, and the application of the principles of land jurisprudence as established by statutes and the multitude of decisions which have been rendered from the earliest times to the present period. A recent classification of unadjusted and suspended cases has been made, and dockets prepared with a view to prompt reference, and to the end that every case may be placed in train of settlement, and be finally passed upon when its record shall have been completed.

The systematic arrangement of the details, and the consideration of the various questions connected with these vast and extended interests, require the employment of a large and very able clerical force, and thorough discipline, therefore, becomes essential to the accurate and prompt prosecution of the business. Experience has demonstrated that the highest degree of usefulness and efficiency can be attained with a force barely adequate to a prompt performance of the labor involved.

Statements illustrative of the foregoing, in detail, accompany this report, being designated in the schedule herewith.

Respectfully submitted,

J. M. EDMUNDS,
Commissioner.

Hon. CALEB B. SMITH,
Secretary of the Interior.

List of papers accompanying annual report, dated 30th November, 1861, from the General Land Office.

1. Copy of communication dated June 8, 1860, from General Land Office to the Secretary of the Interior, submitting estimate and programme in relation to the survey of the eastern boundary of California.
2. Statement of surveying operations from July 1, 1860, to September 30, 1861.
3. Table of sales, and other disposals of public lands, during the five quarters ending September 30, 1861.
4. Swamp land table, exhibiting the quantity of land selected under acts of 1849 and 1850, to September 30, 1861.
5. Like table, exhibiting the quantity of land approved under same acts up to same date.
6. Table showing the quantity of land patented to the several States under the swamp land act of September 28, 1850.
7. Condition of the bounty land business under acts of 1847, 1850, 1852, and 1855.
- 8 and 9. Statements of sales of public lands during the first and last halves of the fiscal year ending 30th June, 1861.
10. Estimate of appropriations for salaries and contingent expenses in General Land Office during fiscal year ending June 30, 1863.
11. Estimate of appropriations for the surveying department.
12. Like estimate for surveying public lands.
13. Reports of surveyors general.

No. 1.

GENERAL LAND OFFICE, June 8, 1860.

SIR: On the 10th ultimo this office addressed a letter to the chairman of the Senate Committee on Territories, touching the survey of the eastern boundary of the State of California, which was duly considered by the head of the department. Since then, under date of the 29th ultimo, Senator Latham, with the consent of the chairman, has enclosed to us that letter, and looks to the necessity, and suggests a much increased estimate, presenting at the same time the enclosed communication (copy A) from T. D. Judah, esq., from which it appears that he estimates \$150,000 as requisite. Since the matter was first brought to our attention, an act has been passed, approved 26th May, 1860, "to authorize the President of the United States, in conjunction with the State of California, to run and mark the boundary lines between the Territories of the United States and the State of California," and we here give the matter that consideration which, in our judgment, its importance demands.

Upon the question as to the extent of appropriations necessary, I enclose copy (B) of a communication dated June 1, 1860, from Messrs. O. P. Sutton and A. H. Jones, estimating \$153,176. Also, copy (C) of an estimate dated June 5, 1860, made by Daniel G. Major, astronomer, and I. M. Fairbanks, surveyor and civil engineer, and offering "to do this work for \$55,000, without any escort whatever from the government, unless the state of Indian hostilities, not now existing or anticipated, should occur." They state, in this proposition, that they "have calculated very closely the expense of doing this work, and after duly considering the character of the country and the high rate of California prices, present this as the result of their estimate." Some of the details

of this estimate are presented, (copy D,) with the estimate of Messrs. Major and Fairbanks. With the former I have had a conference, to elicit all the details and reach the aggregate sum for which it would be just and proper to estimate.

The work would take fifteen months, requiring an astronomer in chief, two assistants, an experienced surveyor, and thirty men to aid in the work and for protection. The astronomer and his party will repair from San Francisco to the section of country approximating to where the 39th parallel of latitude intersects 120° of longitude west from Greenwich. He would there make three lunations, the mean of which will determine the true point of intersection.

The lunar observations made at the Washington observatory will be at the command of the astronomer, and the data obtained here will furnish additional tests to prove the accuracy of his astronomical results.

The intersection point of the 39th parallel and the 120th meridian being thus fixed in the eastern boundary of the State, the astronomer and his party will proceed to the section of country in which the Colorado river and the 35th parallel intersect each other, and there fix, in like manner, the intersectional point. From thence, the party having found the intersection of the 35th parallel of latitude with the Colorado river, would proceed to trace their course and establish the line on the surface of the earth, upon the arc of a great circle passing through the intersection of the 120th meridian, with the 39th and 35th parallels of latitude respectively, every night testing the work of the day, when clear, and not progressing with over two days' work without the necessary sidereal tests. In this manner, proceeding to the astronomically established point of the 39th parallel and the 120th meridian, placing the monuments at such points and distances as the department shall prescribe. Thence from said intersection the line will be surveyed and run under like tests until it reaches the 42d parallel, to be ascertained by sidereal observations, and established by proper monuments. The astronomer, however, who has made the estimate, speaks for himself, as to his proposed mode of proceeding, in the enclosed copy (E) of his letter of the 8th June, 1860.

I have conferred with an army officer, who has resided in and is familiar with the country, and he thinks the proposed number of the party quite sufficient.

I entertain no doubt on that point, and after a very careful analysis of the details presented in writing, and orally, I am satisfied the work should be done for, not exceeding in the whole cost, \$55,000. This estimate being made upon the basis that the United States shall meet the whole expense of the work. I recommend, further, a proviso in the appropriation, giving power to have the work done by contract, or otherwise, and upon such terms, and in such manner, as the department shall prescribe.

With great respect, your obedient servant,

JOS. S. WILSON,
Commissioner.

Hon. J. THOMPSON,
Secretary of the Interior.

No. 2.

Statement of the surveying returns to this office for the fiscal year ending June 30, 1861, and for the quarter ending September 30, 1861.

States and Territories.	No. of acres re- turned for the fiscal year end- ing June 30, 1861.	No. of acres re- turned for the quarter ending September 30, 1861.	Total.
Missouri	798.50	203,593.66	204,392.16
Louisiana	140,540.32	-----	140,540.32
Wisconsin	264,412.32	-----	264,412.32
Minnesota	537,741.38	-----	537,741.38
Oregon	410,725.26	-----	410,725.26
California	1,698,778.25	189,612.81	1,868,391.06
New Mexico	1,355,904.56	-----	1,355,904.56
Kansas	1,561,524.76	67,455.91	1,628,980.67
.....	432,197.31	-----	432,197.31
.....	323,983.35	-----	323,983.35
.....	256,062.01	-----	256,062.01
.....	243,302.56	-----	243,302.56
.....	449,621.53	136,180.62	585,802.15
.....	236,345.25	22,956.58	259,301.83
.....	-----	†319,748.97	319,748.97
.....	60,639.34	-----	60,639.34
Aggregate	7,972,576.70	919,548.55	8,892,125.25

† Surveyed in 1857.

• Public lands. † Indian lands, Sacs and Foxes of Mississippi, Delaware, and Kansas.

GENERAL LAND OFFICE, November 30, 1861.

No. 3.

Sales and other disposals of public lands during the five quarters ending September 30, 1861.

Five quarters.	Number of acres sold for cash at and above the minimum price.	Amount received therefor.	Number of acres sold at graduated prices.	Amount received therefor.	Number of acres located with military warrants.	Number of acres approved under swamp land grant.	Total amount received for lands sold for cash at all prices.	Total number of acres sold for cash and otherwise disposed of.
During the fiscal year ending June 30, 1861	380,627.21	\$526,483.80	1,085,076.36	\$358,403.23	2,017,440	599,126.10	\$884,887.08	4,082,168.67
During the first quarter ending September 30, 1861	25,117.08	33,472.90	17,283.42	6,939.49	136,500	6,969.37	40,412.39	185,869.87
Total	405,644.29	559,956.70	1,102,359.78	365,342.72	2,153,940	606,094.47	925,299.42	4,268,038.54

No. 4.

SWAMP LANDS.

EX. Doc. 1—32

Statement exhibiting the quantity of land selected for the several States under the acts of Congress approved March 2, 1849, and September 28, 1850, up to and ending September 30, 1861.

States.	Fourth quarter of 1860.	First quarter of 1861.	Second quarter of 1861.	Third quarter of 1861.	Year ending June 30, 1861.	Total since date of grants.
Ohio.....						54,438.14
Indiana.....						1,354,732.50
Illinois.....		7,617.92			7,617.92	3,267,470.65
Missouri.....		18,692.87		176,262.95	18,692.87	4,604,448.75
Alabama.....		476,918.93			476,918.93	479,614.44
Mississippi.....						3,070,645.29
Iowa.....						2,579,976.29
Louisiana, (act 1849).....	8,134.34	80.00			9,028.85	10,774,978.82
Louisiana, (act 1850).....						643,339.13
Michigan.....						7,273,724.72
Arkansas.....	320.00				320.00	8,652,432.93
Florida.....						11,790,637.46
Wisconsin.....						3,449,238.28
California.....						
Oregon.....						
Minnesota.....						
	8,454.34	503,309.72		176,262.95	512,578.57	57,895,577.40

* 73,788.70 acres of this amount rejected.

No. 5.

SWAMP LANDS.

Statement exhibiting the quantity of land approved to the several States under the acts of Congress approved March 2, 1849, and September 28, 1850, up to and ending September 28, 1861.

States.	Fourth quarter of 1860.	First quarter of 1861.	Second quarter of 1861.	Third quarter of 1861.	Year ending June 30, 1861.	Total since date of grants.
Ohio.....						25,640.71
Indiana.....						1,260,997.51
Illinois.....						1,433,256.36
Missouri.....			1,209.07	1,786.31	1,209.07	3,819,713.79
Alabama.....						2,695.51
Mississippi.....						3,068,642.31
Iowa.....			72,114.00	4,820.32	72,114.00	605,644.71
Louisiana, (act 1849).....	23,626.03	.....	.....	.....	23,626.03	8,192,305.64
Louisiana, (act 1850).....	32.61	.....	.....	.....	32.61	.....
Michigan.....		320.00	195.33	117.00	193.33	5,465,642.74
Arkansas.....					319,254.50	7,283,763.13
Florida.....					44,127.47	10,901,007.76
Wisconsin.....			138,568.09	246.74	138,568.09	2,194,105.04
California.....						
Oregon.....						
Minnesota.....						
	23,658.64	320.00	212,084.49	6,969.37	599,125.10	44,481,004.30

No. 6.

SWAMP LANDS.

Statement exhibiting the quantity of land patented to the several States under the act of Congress approved September 28, 1850.

States.	Fourth quarter of 1860.	First quarter of 1861.	Second quarter of 1861.	Third quarter of 1861.	Year ending June 30, 1861.	Total since date of grants.
Ohio.....	.....	.....	.....	.....	.....	25,640.71
Indiana.....	.....	.....	.....	.....	.....	1,256,849.56
Illinois.....	180,360.20	.....	.....	1,361.13	333,204.19	1,270,308.21
Missouri.....	.....	.....	.....	.....	69,384.91	2,556,116.98
Mississippi.....	131,764.77	.....	.....	.....	131,764.77	2,681,383.16
Louisiana.....	.....	.....	.....	.....	†199,598.07	199,598.07
Michigan.....	.....	.....	.....	.....	.....	6,069,041.50
Arkansas.....	.....	.....	.....	.....	.....	6,011,357.03
Florida.....	.....	†25,918.69	.....	.....	25,918.69	10,644,468.04
Wisconsin.....	106,575.70	.....	195,326.20	.....	301,901.90	1,976,487.19
Iowa.....	.....	30,740.12	.....	.....	30,740.12	454,074.48
	418,700.67	56,658.81	195,326.20	1,361.13	1,032,612.65	32,134,825.01

* 197,380.04 acres of this quantity embraced in patents retained in this office.

† The patents for this quantity retained in this office.

No. 7.

Condition of bounty land business under acts of 1847, 1850, 1852, and 1855, showing the issues and locations from the commencement of the operations under said acts to September 30, 1861

ACT 1847.

Grade of warrant.	Number issued.	Acres embraced thereby.	Number located.	Acres embraced thereby.	Number outstanding.	Acres embraced thereby.
160 acres..	80,599	12,895,840	75,059	12,009,440	5,540	886,400
40 acres..	7,580	303,200	6,230	249,200	1,350	54,000
Total...	88,179	13,199,040	81,289	12,258,640	6,890	940,400

ACT 1850.

160 acres..	27,436	4,389,760	26,440	4,230,400	996	159,360
80 acres..	57,707	4,616,560	52,105	4,168,400	5,602	448,160
40 acres..	103,958	4,158,320	90,745	3,629,800	13,213	528,520
	189,101	13,164,640	169,290	12,028,600	19,811	1,136,040

ACT 1852.

160 acres..	1,223	195,680	929	148,640	294	47,040
80 acres..	1,698	135,840	1,379	110,320	319	25,520
40 acres..	9,064	362,560	7,542	301,680	1,522	60,880
	11,985	694,080	9,850	560,640	2,135	133,440

No. 7.

Condition of bounty land business, &c.—Continued.

ACT 1855.

Grade of warrant.	Number issued.	Acres embraced thereby.	Number located.	Acres embraced thereby.	Number outstanding.	Acres embraced thereby.
160 acres..	99,943	15,990,880	80,972	12,950,480	18,971	3,040,400
120 acres..	96,402	11,568,240	82,366	9,883,920	14,036	1,684,320
100 acres..	6	600	5	500	1	100
80 acres..	49,169	3,933,520	42,804	3,424,320	6,365	509,200
60 acres..	356	21,360	256	15,360	100	6,000
40 acres..	532	21,280	412	16,480	120	4,800
10 acres..	5	50	3	30	2	20
	246,413	31,535,930	206,818	26,291,090	39,595	5,244,840

SUMMARY.

Act 1847..	88,179	13,199,040	81,289	12,258,640	6,980	940,400
Act 1850..	189,101	13,164,640	169,290	12,028,600	19,811	1,136,040
Act 1852..	11,985	694,080	9,850	560,640	2,135	1,33,440
Act 1855..	246,413	31,535,930	206,818	26,291,090	39,395	5,244,840
Gr. totals.	535,678	58,593,690	467,246	51,138,970	68,431	7,454,720



No. 8.—Statement of public lands sold, of cash, &c., received therefor, of incidental half of the fiscal year commencing on

Land offices.	Quantity sold in first half of the fiscal year at and above the minimum price, \$1 25, and amount received for the same.		Quantity sold in the first half of the fiscal year at graduated prices.				
	Acres.	Amount.	At \$1 per acre.	At 75 cts. per acre.	At 50 cts. per acre.	At 25 cts. per acre.	At 12½ cts. per acre.
OHIO.							
Chillicothe	601.62	\$1,092 10	Acres.	Acres.	Acres.	Acres.	Acres.
							637.63
INDIANA.							
Vincennes							80.00
Indianapolis	156.20	195 25					
Total	156.20	195 25					80.00
ILLINOIS.							
Springfield	8,189.50	13,864 64			129.66	235.17	4,915.65
MISSOURI.							
St. Louis	1,904.37	2,460 83			120.00	900.00	
Boonville	424.97	531 22		415.02	241.48	80.00	280.00
Jackson	3,991.10	5,612 17	613.90	283.81	1,385.63	19,463.53	8,928.95
Warsaw	1,244.81	1,869 08	905.57	1,648.88	4,448.94	57.73	160.00
Springfield	2,742.06	6,380 83	2,802.79	1,771.59	3,189.17	14,039.41	
Total	9,607.32	16,774 13	4,322.26	4,119.30	9,365.21	33,841.17	9,368.25
ALABAMA.							
St. Stephens	778.47	1,258 26			262.12	4,177.85	13,674.38
Greenville	3,583.58	10,731 93		680.38	4,916.70	23,800.08	8,876.39
Huntsville	459.55	624 76					58,406.86
Tuscaloosa	759.35	1,199 16				984.22	64,807.52
Elba	2,905.61	5,007 62				1,321.42	28,416.73
Demopolis	238.65	497 82		1,155.35			2,122.24
Montgomery	100.46	450 18		40.00		21,405.71	
Centre	1,347.62	2,597 83	1,869.91	279.94	9,400.94	6,578.28	
Total	10,073 49	22,367 56	1,869.91	2,148.67	14,579.76	58,267.56	176,304.12
MISSISSIPPI.							
Washington	239.16	298 95					13,005.51
Paulding	3,038.39	6,747 68	906.27	4,996.94	47.17	1,117.60	7,891.55
Jackson	495.08	618 85	180.69	240.20			2,642.60
Granada	86.28	107 85	477.95	1,123.35			
Columbus	2,652.11	3,657 78	1,290.65	17,063.43			1,132.74
Total	6,517.02	11,431 09	2,835.56	23,423.92	47.17	1,117.60	24,672.40
LOUISIANA.							
New Orleans	100.00	125 00					
Opelousas	13,969.52	19,439 19	200.40	660.38	5,902.28	11,425.37	16,241.85
Monroe	8,613.62	13,246 61			25,642.75	9,137.90	17,999.82
Greensburg	2,293.40	2,991 75	143.76			3,330.96	50,845.60
Natchitoches	9,057.04	12,699 35	105.87	1,468.29	23,059.37	4,825.69	4,304.50
Total	35,133.64	48,501 90	450.03	2,128.67	54,604.40	28,719.94	89,391.77
MICHIGAN.							
Detroit	288.96	543 94			4,384.01	10,903.40	160.00
East Saginaw	593.24	1,241 54			5,501.74	5,377.04	
Ionia	1,329.31	1,462 57			5,385.66	3,767.63	
Marquette	2,236.45	3,869 32					
Traverse City	1,637.53	2,269 58		160.00	3,896.09		
Total	6,385.79	9,406 95		160.00	19,167.50	20,048.07	160.00

* Includes amount paid by

expenses thereon, and of payments into the treasury on account thereof, in the first July 1, 1860, and ending June 30, 1861.

Quantity sold at graduated prices, and amt ^t received for the same.		Aggregate quantity sold at all prices, and amount received for the same.		Amount received in military bounty land scrip and cash.		Incidental expenses.	Amount paid into the treasury during the first half of the fiscal year.
Acres.	Amount.	Acres.	Amount.	Mil. bounty land scrip.	Cash.		
637.63	\$79 70	1,239.25	\$1,171 80	.....	\$1,171 80	\$627 95	\$1,240 06
80.00	10 00	80.00	10 00	.....	10 00	255 90	100 00
.....	.....	156.90	195 25	.....	195 25	752 15	319 00
80.00	10 00	236.20	205 25	.....	205 25	1,008 05	319 00
5,280.46	737 80	13,469.98	14,602 44	\$11,878 91	2,723 53	1,979 35	9,955 99
320.00	110 00	1,524 37	2,590 83	200 00	2,390 83	560 93	1,974 83
1,016.50	487 00	1,441.47	1,018 22	350 00	668 22	732 51	*1,037 50
30,655.11	7,496 52	34,646 21	13,008 69	1,600 00	11,408 69	2,353 65	6,348 97
7,921.12	4,401 16	8,465.94	6,270 24	4,723 21	1,538 03	718 78	13,178 64
21,803.46	9,236 04	24,545.52	15,616 87	12,304 97	3,311 90	2,003 02	1,661 29
61,016.19	21,730 72	70,623.51	38,504 85	19,167 18	19,317 67	6,368 89	25,200 46
18,114.35	2,884 81	18,892.82	4,143 07	.....	4,143 07	963 70	4,660 70
38,373.55	10,028 22	41,857.13	20,760 15	.....	20,760 15	1,846 31	29,039 57
58,406.86	7,300 85	58,666.41	7,925 61	.....	7,925 61	2,307 75	6,369 35
65,791.74	8,346 99	66,551.09	9,546 15	.....	9,546 15	2,288 90	7,373 38
29,738.15	3,882 44	32,543.76	8,890 06	.....	8,890 06	1,416 08	7,332 52
3,277.59	1,131 80	3,516.94	1,629 62	.....	1,629 62	598 77	9,608 00
21,445.71	5,381 43	21,546.17	5,831 61	.....	5,831 61	1,376 60	5,377 80
18,122.07	8,419 66	19,469.89	11,017 49	.....	11,017 49	1,245 61	12,161 23
953,170.02	47,376 20	263,243.51	69,743 76	.....	69,743 76	12,063 02	81,928 55
13,005.51	1,625 69	13,244.07	1,924 64	.....	1,924 64	843 97	1,871 29
14,959.53	5,943 30	17,997.92	12,691 07	.....	12,691 07	1,012 15	11,394 22
3,063.49	691 17	3,558.57	1,310 02	.....	1,310 02	693 72	334 52
1,601.30	1,320 46	1,687.58	1,428 31	.....	1,428 31	495 78	4,095 16
19,486.82	14,229 82	22,141.93	17,887 58	.....	17,887 58	1,297 86	17,243 45
52,116.65	23,810 53	58,633.67	35,241 62	.....	35,241 62	4,343 48	34,868 64
.....	.....	100.00	195 00	.....	125 00	5,245 30	1,337 83
34,430.28	8,533 40	48,399.86	27,972 59	.....	27,972 59	1,472 75	38,180 90
52,780.47	17,355 82	62,394.09	30,602 43	.....	30,602 43	3,453 32	25,119 77
54,320.34	7,323 91	56,713.74	10,323 96	.....	10,323 96	1,967 88	10,303 60
53,763.72	14,481 26	42,820.76	27,180 61	.....	27,180 61	4,067 08	36,235 70
175,294.81	47,703 69	210,428.45	96,204 59	.....	96,204 59	16,206 33	111,177 80
15,447.41	4,938 22	15,736.37	5,482 22	.....	5,482 22	1,046 63	5,482 22
10,878.78	4,085 13	11,872.02	5,336 67	.....	5,336 67	906 28	3,352 00
9,153.29	3,634 74	10,382.60	5,097 31	50 00	5,047 31	787 29	4,000 60
.....	.....	2,236.45	3,889 32	.....	3,889 32	463 01	4,774 55
4,066.09	2,068 04	5,693.92	4,337 62	.....	4,337 62	961 46	2,545 33
29,535.57	14,736 19	45,921.36	24,143 14	50 00	24,093 14	4,164 66	20,154 70

late receiver at Plattsburg.

No. 8.—Statement of public lands sold,

Land offices.	Quantity sold in first half of the fiscal year at and above the minimum price, \$1 25, and amount received for the same.		Quantity sold in the first half of the fiscal year at graduated prices.				
	Acres.	Amount.	At \$1 per acre.	At 75 cts. per acre.	At 50 cts. per acre.	At 25 cts. per acre.	At 12½ cts. per acre.
ARKANSAS.							
Batesville	3,270.88	\$5,087 21	1,175.66	7,837.58	6,221.62	13,754.63	35,447.68
Little Rock	11,529.81	17,655 15	5,815.75	4,543.38	6,770.29	15,857.96	29,473.57
Washington	19,903.85	18,634 91	1,038.10	6,391.29	5,184.85	6,761.63	5,544.67
Huntsville	5,115.63	6,394 66	1,232.48	4,926.14	11,038.79	3,697.05	.....
Clarksville	4,996.37	9,154 27	839.70	9,664.51	19,788.85	2,908.31	2,055.42
Champagneville	39,206.99	50,303 06	11,456.11	33,670.72	5,016.51	10,096.62	6,424.74
Total	76,323.53	107,229 18	21,557.80	67,043.62	54,018.91	53,076.30	78,946.08
FLORIDA.							
Tallahassee	1,038.55	1,941 62	40.00	.....	.....	3,877.97	17,493.30
St. Augustine	840.78	1,050 97	.....	.....	153.98	.....	.....
Newnansville	940.37	500 67	.....	842.51	963.71	1,940.55	40.01
Tampa	169.03	211 39	159.87	.....	.....	.....	.....
Total	2,988.73	3,704 55	199.87	842.51	1,117.69	4,518.52	17,533.31
IOWA.							
Fort Des Moines	2,493.36	3,116 70	.....	.....	.....	.....	.....
Council Bluffs	688.94	889 29	.....	.....	.....	.....	.....
Fort Dodge	1,174.34	1,468 73	.....	.....	.....	.....	.....
Sioux City	969.62	1,212 02	.....	.....	.....	.....	.....
Total	5,305.56	6,686 74	.....	.....	.....	.....	.....
WISCONSIN.							
Menasha	1,196.72	1,566 04	200.00	280.00	2,584.40	680.00	.....
Falls of St. Croix	1,598.72	2,198 40	.....	.....	.....	.....	.....
Stevens's Point	2,194.95	2,656 21	.....	.....	208.16	.....	.....
La Crosse	3,364.11	4,359 35	6,642.53	1,082.79	.....	40.00	.....
Bayfield	116.29	145 37	.....	.....	.....	.....	.....
Eau Claire	1,030.60	1,288 64	.....	.....	.....	.....	.....
Total	9,431.68	12,214 01	6,842.53	1,362.79	2,792.56	720.00	.....
MINNESOTA.							
Sunrise City	1,641.07	2,051 34	.....	.....	.....	.....	.....
St. Cloud	5,736.88	7,184 07	.....	.....	.....	.....	.....
Chatfield	6,449.42	8,887 03	.....	.....	.....	.....	.....
Forest City	8,981.97	11,313 23	.....	.....	.....	.....	.....
St. Peter	16,323.55	21,086 33	.....	.....	.....	.....	.....
Henderson	22,074.22	27,802 47	.....	.....	.....	.....	.....
Portland	442.35	554 74	.....	.....	.....	.....	.....
Otter Tail City	49.14	61 42	.....	.....	.....	.....	.....
Total	61,698.60	78,941 33	.....	.....	.....	.....	.....
CALIFORNIA.							
San Francisco	800.00	1,000 00	.....	.....	.....	.....	.....
Los Angeles, (no sales) .....	.....	.....	.....	.....	.....	.....	.....
Marysville	4,960.09	5,975 17	.....	.....	.....	.....	.....
Humboldt	1,338.85	1,673 57	.....	.....	.....	.....	.....
Stockton	2,090.00	2,612 53	.....	.....	.....	.....	.....
Visalia	6,287.54	7,859 37	.....	.....	.....	.....	.....
Total	14,786.48	19,120 64	.....	.....	.....	.....	.....

of cash received, &c.—Continued.

Quantity sold at graduated prices, and amt received for the same.		Aggregate quantity sold at all prices, and amount received for the same.		Amount received in military bounty land scrip and cash.		Incidental expenses.	Amount paid into the treasury during the first half of the fiscal year.
Acres.	Amount.	Acres.	Amount.	Mill. bounty land scrip.	Cash.		
64,427.17	\$18,026 77	67,698.05	\$23,113 98	.....	\$23,113 98	\$2,421 36	\$13,999 01
62,460.95	26,257 23	73,990.76	37,912 37	.....	37,912 37	944 29	28,640 67
24,990.54	10,807 51	37,124.39	29,442 42	.....	29,442 42	1,718 25	29,180 00
20,894.46	11,370 81	26,010.09	17,765 37	.....	17,765 37	1,432 33	13,639 06
35,274.79	18,980 51	40,271.16	28,134 78	.....	28,134 78	1,553 98	25,969 50
66,654.70	42,544 65	105,871.69	92,847 73	.....	92,847 73	3,365 24	59,328 21
274,642.61	121,987 47	350,966.14	229,216 65	.....	229,216 65	11,435 45	170,054 45
90,811.27	3,046 15	21,843.82	4,987 77	.....	4,987 77	529 62	4,021 77
153.98	76 99	994.76	1,127 96	.....	1,127 96	321 13	447 10
3,086.78	1,426 86	3,327.15	1,929 55	.....	1,929 55	.....	3,045 00
159.87	159 87	328.90	371 16	.....	371 16	512 95	843 91
24,211.90	4,711 89	26,494.63	8,416 44	.....	8,416 44	1,363 70	8,357 78
.....	.....	2,483.36	3,116 70	.....	3,116 70	954 71	1,753 48
.....	.....	668.24	889 29	.....	889 29	553 25	4,558 81
.....	.....	1,174.34	1,468 73	\$385 00	1,083 73	704 09	450 00
.....	.....	969.62	1,212 02	.....	1,212 02	735 99	700 00
.....	.....	5,305.56	6,686 74	385 00	6,301 74	2,946 04	7,469 29
3,741.40	1,881 41	4,941.12	3,437 45	47 25	3,390 20	799 18	2,954 34
.....	.....	1,598.72	2,198 40	100 00	2,098 40	829 31	1,478 98
208.16	104 08	2,333.11	2,780 29	.....	2,780 29	684 59	2,470 40
7,765.32	7,464 63	11,129.43	11,623 88	900 00	11,623 88	1,198 13	14,559 80
.....	.....	116.29	145 37	.....	145 37	453 44	.....
.....	.....	1,030.89	1,288 64	.....	1,288 64	585 37	148 64
11,717.88	9,440 12	21,149.56	21,654 13	347 25	21,306 88	4,549 25	21,600 66
.....	.....	1,641.07	2,051 34	.....	2,051 34	1,112 89	1,442 80
.....	.....	5,736.88	7,184 07	125 00	7,059 07	2,906 80	1,666 07
.....	.....	6,449.42	8,687 03	119 57	8,767 48	4,359 60	14,067 23
.....	.....	8,981.97	11,313 93	.....	11,313 93	2,570 83	.....
.....	.....	16,323.55	21,086 33	.....	21,086 33	3,303 05	25,151 64
.....	.....	22,074.92	27,802 47	.....	27,802 47	4,096 72	29,135 66
.....	.....	422.35	554 74	.....	554 74	741 58	150 00
.....	.....	49.14	61 42	.....	61 42	346 19	.....
.....	.....	61,698.60	78,941 33	944 57	78,696 76	18,737 66	71,613 30
.....	.....	800.00	1,000 00	.....	1,000 00	3,278 44	3,600 00
.....	.....	4,980.09	5,975 17	.....	5,975 17	2,897 27	5,397 50
.....	.....	1,338.85	1,673 57	.....	1,673 57	3,525 00	3,150 00
.....	.....	2,090.00	2,612 53	.....	2,612 53	3,255 00	1,637 00
.....	.....	6,287.54	7,859 37	.....	7,859 37	3,300 00	3,300 00
.....	.....	14,796.48	19,120 64	.....	19,120 64	19,657 71	17,084 60

No. 8.—*Statement of public lands sold,*

Land offices.	Quantity sold in the first half of the fiscal year at and above the minimum price, \$1 25, and amount received for the same.		Quantity sold in the first half of the fiscal year at graduated prices.				
	Acres.	Amount.	At \$1 per acre.	At 75 cts. per acre.	At 50 cts. per acre.	At 25 cts. per acre.	At 12½ cts. per acre.
OREGON.							
Oregon City	59.78	\$74 73	.....	.....	.....	.....	.....
Roseburg	379.00	473 89	.....	.....	.....	.....	.....
Total	438.78	548 61	.....	.....	.....	.....	.....
WASHINGTON TERRITORY.							
Olympia	660.69	825 80	.....	.....	.....	.....	.....
KANSAS.							
Lecompton	2,281.12	2,851 51	.....	.....	.....	.....	.....
Kickapoo	2,954.39	3,693 04	.....	.....	.....	.....	.....
Fort Scott	4,457.38	6,072 03	.....	.....	.....	.....	.....
Junction City	2,553.67	3,194 94	.....	.....	.....	.....	.....
Total	12,646.56	15,811 52	.....	.....	.....	.....	.....
NEBRASKA TERRITORY.							
Omaha City	2,436.45	3,403 06	.....	.....	.....	.....	.....
Brownville	1,973.52	2,466 89	.....	.....	.....	.....	.....
Nebraska City	304.19	330 21	.....	.....	.....	.....	.....
Dakota City	320.21	400 26	.....	.....	.....	.....	.....
Total	5,034.37	6,650 42	.....	.....	.....	.....	.....
NEW MEXICO.							
Santa Fe .....	.....	.....	.....	.....	.....	.....	.....

RECAPIT

STATES AND TERRITORIES.							
Ohio	601.62	1,092 10	.....	.....	.....	.....	637.63
Indiana	156.26	195 25	.....	.....	.....	.....	80.00
Illinois	8,189.56	13,664 64	.....	.....	129.66	235.17	4,915.65
Missouri	9,607.22	16,774 13	.....	4,322.26	4,119 30	9,365.21	33,841.17
Alabama	10,073.49	22,367 56	1,469.91	2,148 67	14,579.76	58,267.56	176,304.19
Mississippi	6,517.02	11,431 09	2,855.56	23,423.92	47.17	1,117.69	94,672.40
Louisiana	35,133.64	48,501 90	450.03	2,128 67	54,604.40	28,719.94	89,391.77
Michigan	6,385.79	9,406 95	.....	160.00	19,167.50	20,048.07	160.00
Arkansas	76,323.63	107,229 18	21,557.80	67,043.62	54,018.91	53,076.20	78,946.08
Florida	2,282.73	3,704 55	199.87	842.51	1,117.69	4,518.52	17,533.31
Iowa	5,305.56	6,686 74	.....	.....	.....	.....	.....
Wisconsin	9,431.68	12,214 01	6,842.53	1,303.79	2,792.56	730.00	.....
Minnesota	61,698.66	78,941 33	.....	.....	.....	.....	.....
California	14,796.46	19,120 64	.....	.....	.....	.....	.....
Oregon	438.78	548 61	.....	.....	.....	.....	.....
Washington Territory	660.69	825 80	.....	.....	.....	.....	.....
Kansas	12,646.56	15,811 52	.....	.....	.....	.....	.....
Nebraska Territory	5,034.37	6,650 42	.....	.....	.....	.....	.....
New Mexico .....	.....	.....	.....	.....	.....	.....	.....
Total	285,283.56	375,366 42	38,097.96	101,322.48	155,822.86	300,544.23	403,009.21

of cash received, &c.—Continued.

Quantity sold at graduated prices, and amt received for the same.		Aggregate quantity sold at all prices, and amount received for the same.		Amount received in military bounty land scrip and cash.		Incidental expenses.	Amount paid into the treasury during the first half of the fiscal year.
Acres.	Amount.	Acres.	Amount.	Mil. bounty land scrip.	Cash.		
.....		59.78	\$74 72	.....	\$74 72	\$3,144 09	\$697 14
.....		379.00	473 89	.....	473 89	2,886 90	372 34
.....		438.78	548 61	.....	548 61	5,970 99	1,069 48
.....		660.69	825 80	.....	825 80	2,292 18	336 06
.....		2,281 12	2,851 51	\$233 33	2,618 18	1,514 85	7,537 97
.....		2,954.39	3,693 04	2,600 00	1,093 04	1,492 84	.....
.....		4,857.38	6,072 03	.....	6,072 63	2,983 93	5,289 43
.....		2,553.67	3,194 94	400 00	2,794 94	3,175 75	6,029 23
.....		12,646.56	15,811 52	3,233 33	12,578 19	9,127 37	18,856 63
.....		2,436.45	3,403 06	.....	3,403 06	1,669 65	4,970 04
.....		1,973.52	2,466 89	.....	2,466 89	1,101 92	4,000 15
.....		304.19	360 21	81 54	298 67	637 08	705 41
.....		320.21	400 26	.....	400 26	442 75	.....
.....		5,034.37	6,650 42	81 54	6,568 88	4,051 37	9,675 60
.....							
.....							

ULATION.

637.63	\$79 70	1,239.25	1,171 80	.....	1,171 80	637 95	1,940 06
89.00	10 00	236.20	905 25	.....	905 25	1,008 05	319 00
5,280.48	737 80	13,469.08	14,602 44	11,878 91	2,723 53	1,979 36	9,935 99
61,016.19	91,730 72	70,693.51	38,504 85	19,187 18	19,317 67	6,368 89	25,200 46
253,170.02	47,376 20	273,243.51	69,743 76	.....	69,743 76	12,063 02	81,920 55
52,116.65	23,810 53	58,633 67	35,241 63	.....	35,241 62	4,343 48	34,668 64
175,294.81	47,702 69	210,492.45	96,204 59	.....	96,204 59	16,206 33	111,177 80
39,535.57	14,736 19	45,921.36	24,143 14	50 00	24,093 14	4,164 66	20,154 70
274,642.61	121,987 47	350,966.14	229,216 65	.....	229,216 65	11,435 45	170,054 45
94,211.90	4,711 89	26,494.63	8,416 44	.....	8,416 44	1,363 70	8,357 78
.....	.....	5,305.56	6,686 74	385 00	6,301 74	2,948 04	7,482 29
11,717.88	9,440 12	21,149.58	21,654 13	347 25	21,306 88	4,549 95	21,609 66
.....	.....	61,698.60	78,941 33	244 57	78,696 76	18,737 66	71,613 36
.....	.....	14,796.48	19,120 64	.....	19,120 64	19,657 71	17,084 50
.....	.....	438.76	548 61	.....	548 61	5,970 99	1,069 48
.....	.....	660.69	825 80	.....	825 80	3,293 18	336 06
.....	.....	12,646.56	15,811 52	3,233 33	12,578 19	9,127 37	18,856 63
.....	.....	5,034.37	6,650 42	81 54	6,568 88	4,051 37	9,675 60
.....							
897,703.74	292,323 31	1,162,987.30	667,689 73	35,407 78	632,281 25	.....	610,964 95

No. 9.—*Statement of public lands sold, of cash, &c., received therefor, of in the second half of the fiscal year commencing*

Land offices.	Quantity sold in second half of fiscal year at and above the minimum price, \$1 25, and amount received for the same.		Quantity sold in the second half of the fiscal year at graduated prices.				
	Acres.	Amount.	At \$1 per acre.	At 75 cts. per acre.	At 50 cts. per acre.	At 25 cts. per acre.	At 12½ cts. per acre.
OHIO.							
Chillicothe	530.27	\$1,223 55	.....	.....	.....	.....	481.62
INDIANA.							
Vincennes	80.00	100 00	.....	.....	.....	.....	.....
Indianapolis	40.00	50 00	.....	.....	.....	.....	.....
Total	120.00	150 00	.....	.....	.....	.....	.....
ILLINOIS.							
Springfield	1,257.45	1,571 80	.....	.....	36.26	70.14	3,521.36
MISSOURI.							
St. Louis*	247.15	558 24	.....	.....	.....	80.00	963.05
Boonville†	222.27	650 46	.....	320.00	.....	40.00	924.00
Jackson†	906.10	1,613 33	160.00	.....	436.51	13,165.30	3,057.93
Warsaw	400.42	713 70	437.55	200.00	1,223.38	190.00	40 00
Springfield	752.49	1,489 26	963.83	692.56	1,479.23	5,399.85	.....
Total	2,598.43	5,025 69	1,561.38	1,212.56	3,739.12	18,805.15	4,284.98
ALABAMA.							
St. Stephens	72.15	90 20	.....	.....	.....	.....	280.05
Greenville	40.61	100 49	.....	.....	.....	937.98	736.60
Huntsville .....	.....	.....	.....	.....	.....	.....	13,222.66
Tuscaloosa	40.17	50 21	.....	.....	.....	.....	6,963.72
Eiba	163.97	204 97	80.50	.....	.....	.....	8,154.75
Demopolis|| .....	.....	.....	.....	.....	.....	.....	.....
Montgomery	79.92	99 80	.....	.....	.....	1,044.78	.....
Centre	80.26	200 02	200.27	228.63	1,565.96	2,070.76	.....
Total	477.08	745 79	280.77	228.63	1,565.96	4,053.54	29,407.78
MISSISSIPPI.							
Washington .....	.....	.....	.....	.....	.....	.....	384.25
Faulding	312.10	804 25	.....	370.70	.....	.....	675.31
Jackson|| .....	.....	.....	.....	.....	.....	.....	.....
Grenada|| .....	.....	.....	.....	.....	.....	.....	.....
Columbus|| .....	.....	.....	.....	.....	.....	.....	.....
Total	312.10	804 25	.....	370.70	.....	.....	1,039.56
LOUISIANA.							
New Orleans .....	.....	.....	.....	.....	.....	.....	.....
Opelousas	1,679.07	2,098 85	604.36	.....	877 56	1,087.09	2,814.08
Monroe	936.25	1,184 61	.....	.....	2,866.34	319.30	3,351.93
Greensburg	82.00	102 50	74.00	.....	.....	233.80	6,418.52
Natchitoches	506.04	781 05	.....	592.91	1,762.19	364.90	80.78
Total	3,293.36	4,167 01	678.36	592.91	5,506.09	2,005.09	12,665.31
MICHIGAN.							
Detroit	160.00	300 00	.....	.....	3,532.07	7,760.82	161.06
East Saginaw	160.00	303 93	39.00	.....	3,283.20	4,471.74	.....
Ionia	323.60	404 50	.....	.....	4,105.48	942.01	.....

* No sales since February 28, 1861.

† No sales since May 31, 1861.

‡ No returns since April 30, 1861.

§ No returns since May 6, 1861.

|| No returns received since December 31, 1860.

¶ Office closed—subject to sale at Jackson, Mississippi.

incidental expenses thereon, and of payments into the treasury on account thereof, July 1, 1860, and ending June 30, 1861.

Quantity sold at graduated prices, and am't received for the same.		Aggregate quantity sold at all prices, and am't received for the same.		Amount received in military bounty land scrip and in cash.		Incidental expenses.	Amount paid into the treasury during the second half of the fiscal year.
Acres.	Amount.	Acres.	Amount.	Mil. bounty land scrip.	Cash.		
481.82	\$60 20	1,011.89	\$1,283 75	.....	\$1,283 75	.....	\$1,730 00
.....	.....	80.00	100 00	.....	100 00	.....	.....
.....	.....	40.00	50 00	.....	50 00	.....	230 00
.....	.....	120.00	150 00	.....	150 00	.....	280 00
3,627.76	475 79	4,885.21	2,047 59	\$1,581 64	465 95	\$979 19	1,476 30
343.05	52 92	590.20	611 86	.....	611 86	546 46	581 88
1,284.00	365 50	1,576.27	1,015 96	83 00	932 96	648 07	1,101 94
16,819.74	4,059 01	17,735.84	5,665 34	4,097 42	1,567 92	1,090 19	8,061 02
2,680.93	1,534 94	3,021.35	2,247 94	1,100 00	1,147 94	600 00	4,298 39
8,535.47	3,573 82	9,287.96	5,062 08	4,770 76	291 32	795 75	.....
29,603.19	9,577 49	32,201.62	14,603 18	10,051 18	4,522 00	3,610 47	14,433 23
280.05	35 00	352.20	125 20	49 89	75 31	752 91	741 00
1,664.56	325 31	1,705.19	425 80	.....	425 80	224 29	.....
13,228.66	1,660 33	13,228.66	1,660 33	.....	1,660 33	266 73	2,513 00
6,963.72	870 47	7,003.89	920 68	.....	920 68	.....	4,005 09
8,235.25	1,069 84	8,399.22	1,304 81	.....	1,304 81	325 19	1,281 14
1,044.76	361 19	1,194.70	361 09	.....	361 09	263 25	800 00
4,075.64	1,679 83	4,155.90	1,879 95	.....	1,879 95	598 42	2,755 32
35,546.68	5,832 07	36,023.76	6,677 86	49 59	6,627 97	2,440 76	12,085 62
364.25	45 53	364.25	45 53	.....	45 53	204 23	117 86
1,046.01	369 45	1,368.11	1,166 70	.....	1,166 70	56 61	.....
.....							
1,410.26	407 96	1,752.36	1,212 23	.....	1,212 23	260 74	117 86
.....							
5,383.09	1,666 67	7,062.16	3,765 52	.....	3,765 52	312 64	3,600 00
6,537.57	1,831 98	7,473.82	3,116 59	.....	3,116 59	446 31	.....
6,726.32	934 76	6,808.32	1,037 26	.....	1,037 96	.....	.....
2,600.72	1,427 08	3,296.82	2,208 13	.....	2,208 13	203 22	.....
21,447.76	5,960 49	24,741.12	10,127 50	.....	10,127 50	962 37	3,600 00
11,453.95	3,726 37	11,613.95	4,026 37	.....	4,026 37	.....	4,239 46
7,793.94	2,798 53	7,953.94	3,102 46	.....	3,102 46	.....	5,161 54
5,047.49	2,288 24	5,371.09	2,692 74	.....	2,692 74	.....	4,214 58

No. 9.—Statement of public lands

Land offices.	Quantity sold in second half of fiscal year at and above the minimum price, \$1 25, and amount received for the same.		Quantity sold in the second half of the fiscal year at graduated prices.				
	Acres.	Amount.	At \$1 per acre.	At 75 cts. per acre.	At 50 cts. per acre.	At 25 cts. per acre.	At 12½ cts. per acre.
MICHIGAN—Continued.							
Marquette.....	1,664.70	\$2,080 89	.....	.....	.....	.....	.....
Traverse City.....	584.46	750 57	.....	136.47	3,627.90	.....	.....
Total.....	2,692.76	3,819 89	39.00	136.47	14,548.65	13,174.57	161.06
ARKANSAS.							
Batesville.....	1,113.79	1,776 96	401.18	3,961.99	2,783.07	5,180.15	15,760.15
Little Rock*.....	.....	.....	.....	.....	.....	.....	.....
Washington†.....	1,878.10	2,782 62	360.00	680.00	1,845.06	840.00	719.57
Huntsville‡.....	893.64	1,117 05	798.53	1,364.10	3,678.34	564.70	.....
Clarksville.....	271.43	791 28	80.00	1,518.29	2,114.42	160.00	200.00
Champagnole‡.....	7,048.01	9,370 01	2,734.49	7,927.12	634.93	2,904.01	597.76
Total.....	11,304.97	15,767 92	4,374.20	15,451.50	11,055.82	8,978.86	17,277.48
FLORIDA.							
Tallahassee§.....	3.13	3 91	.....	.....	.....	677.41	1,908.47
St. Augustine*.....	.....	.....	.....	.....	.....	.....	.....
Newnanville||.....	.....	.....	.....	.....	.....	.....	.....
Tampa*.....	.....	.....	.....	.....	.....	.....	.....
Total.....	3.13	3 91	.....	.....	.....	677.41	1,908.47
IOWA.							
Fort Des Moines.....	1,131.35	1,565 46	.....	.....	.....	.....	.....
Council Bluffs.....	141.39	176 65	.....	.....	.....	.....	.....
Fort Dodge.....	2,161.70	2,702 13	.....	.....	.....	.....	.....
Sioux City.....	128.65	205 81	.....	.....	.....	.....	.....
Total.....	3,563.02	4,650 05	.....	.....	.....	.....	.....
WISCONSIN.							
Menasha.....	2,184.90	2,841 14	158.66	406.48	922.95	281.17	.....
Falls of St. Croix.....	607.41	918 63	.....	.....	.....	.....	.....
Stevens' Point.....	967.03	1,208 77	.....	.....	325.17	.....	.....
La Crosse.....	3,281.56	4,151 95	4,579.64	1,217.79	.....	290.00	.....
Bayfield.....	2.03	2 53	.....	.....	.....	.....	.....
Eau Claire.....	1,493.23	1,866 53	.....	.....	.....	.....	.....
Total.....	8,536.16	10,989 55	4,738.30	1,694.27	1,948.12	561.17	.....
MINNESOTA.							
Sunrise City.....	185.38	231 70	.....	.....	.....	.....	.....
St. Cloud.....	1,104.74	1,487 73	.....	.....	.....	.....	.....
Chatfield.....	3,113.23	4,755 75	.....	.....	.....	.....	.....
Forest City.....	501.44	773 64	.....	.....	.....	.....	.....
St. Peter.....	900.13	1,535 16	.....	.....	.....	.....	.....
Henderson.....	643.21	804 03	.....	.....	.....	.....	.....
Portland.....	183.62	229 53	.....	.....	.....	.....	.....
Otter Tail City.....	56.89	75 69	.....	.....	.....	.....	.....
Total.....	6,688.64	9,963 43	.....	.....	.....	.....	.....
CALIFORNIA.							
San Francisco.....	754.57	943 21	.....	.....	.....	.....	.....
Los Angeles.....	602.55	753 19	.....	.....	.....	.....	.....
Marysville.....	28,378.12	35,672 75	.....	.....	.....	.....	.....
Humboldt.....	19,211.64	24,014 54	.....	.....	.....	.....	.....

* No returns received since December 31, 1860.

† No returns since April 30, 1861.

‡ No returns since September 30, 1860.

§ No returns since May 6, 1861.

§ No returns since January 31, 1861.

sold, of cash received, &c.—Continued.

Quantity sold at graduated prices, and amt received for the same.		Aggregate quantity sold at all prices, and amt received for the same.		Amount received in military bounty land scrip and in cash.		Incidental expenses.	Amount paid into the treasury during the second half of the fiscal year.
Acres.	Amount.	Acres.	Amount.	Mil. bounty land scrip.	Cash.		
.....	.....	1,664.70	\$2,080 89	.....	\$2,080 89	.....	\$1,623 96
3,764.37	\$1,916 30	4,348.83	2,616 87	.....	2,646 87	.....	2,646 08
26,059.75	10,729 44	30,952.51	14,549 33	.....	14,549 33	.....	17,885 64
26,066.54	8,029 31	29,200.33	9,806 27	.....	9,806 27	\$1,236 09	1,626 43
4,444.63	3,092 47	6,429.73	4,875 09	.....	4,875 09	500 00	.....
6,435.67	3,809 47	7,399.31	4,926 52	.....	4,926 52	600 77	9,390 00
4,072.71	2,340 93	4,344.14	3,062 21	.....	3,062 21	798 62	13,148 50
14,096.31	9,623 02	21,146.32	18,993 03	.....	18,993 03	404 98	4,048 15
57,137.86	25,895 20	68,442.83	41,663 19	.....	41,663 19	1,592 74	4,943 38
1,885.88	320 41	1,889.01	324 32	.....	324 32	5,133 20	33,146 46
.....	.....	.....	.....	.....	.....	.....	1,294 64
.....	.....	.....	.....	.....	.....	.....	270 00
1,885.88	320 41	1,889.01	324 32	.....	324 32	.....	250 00
.....	.....	1,131.35	1,565 46	\$100 00	1,465 46	.....	673 00
.....	.....	141.32	176 65	.....	176 65	.....	157 06
.....	.....	2,161.70	2,709 13	1,853 17	848 96	.....	2,157 50
.....	.....	198.65	205 81	.....	205 81	.....	450 00
.....	.....	3,563.02	4,650 05	1,953 17	2,696 88	.....	3,437 56
1,769.26	895 29	3,954.16	3,836 43	700 00	3,136 43	760 79	3,269 39
.....	.....	607.41	918 63	900 00	718 63	807 03	427 71
325.17	162 58	1,292.20	1,371 35	130 95	1,240 40	602 57	2,139 06
6,077.43	5,509 98	9,358.99	9,714 93	1,550 00	8,164 93	1,032 29	6,595 19
.....	.....	2 03	2 53	.....	2 53	460 93	249 37
.....	.....	1,493.23	1,866 53	1,043 21	823 32	722 30	1,585 75
8,171.86	6,720 85	16,703.02	17,710 49	3,624 16	14,086 24	4,385 91	14,266 47
.....	.....	185.32	231 70	.....	231 70	922 05	1,348 90
.....	.....	1,104.74	1,467 73	1,029 96	437 77	1,878 76	8,183 06
.....	.....	3,113.23	4,755 75	4,572 77	182 98	1,796 55	5,053 30
.....	.....	501.44	773 64	.....	773 64	1,918 17	19,703 57
.....	.....	900.13	1,525 16	250 00	1,275 16	695 77	3,634 95
.....	.....	643.21	904 03	225 00	679 03	834 70	5,267 55
.....	.....	183.62	229 53	.....	229 53	590 61	666 99
.....	.....	56.69	75 89	.....	75 89	508 55	219 92
.....	.....	6,688.64	9,263 43	6,077 73	3,885 70	8,375 16	37,058 26
.....	.....	754.57	943 21	.....	943 21	.....	.....
.....	.....	602.55	753 19	.....	753 19	.....	.....
.....	.....	28,378.12	35,672 75	.....	35,672 75	.....	34,670 52
.....	.....	19,211.64	24,014 54	.....	24,014 54	.....	16,001 94

No. 9.—Statement of public lands

Land offices.	Quantity sold in second half of fiscal year at and above the minimum price, \$1 25, and amount received for the same.		Quantity sold in the second half of the fiscal year at graduated prices.				
	Acres.	Amount.	At \$1 per acre.	At 75 cts. per acre.	At 50 cts. per acre.	At 25 cts. per acre.	At 12½ cts. per acre.
CALIFORNIA—Continued.							
Stockton.....	15,112.69	\$18,890.89	.....	.....	.....	.....	.....
Visalia.....	1,569.89	1,962.35	.....	.....	.....	.....	.....
Total.....	65,622.46	62,236.93	.....	.....	.....	.....	.....
OREGON.							
Oregon City.....	902.12	252.65	.....	.....	.....	.....	.....
Roseburg.....	1,333.93	1,667.41	.....	.....	.....	.....	.....
Total.....	1,536.05	1,920.06	.....	.....	.....	.....	.....
WASHINGTON TERRITORY.							
Olympia.....	1,155.71	1,444.64	.....	.....	.....	.....	.....
KANSAS.							
Lecompton.....	570.44	713.07	.....	.....	.....	.....	.....
Kickapoo.....	168.04	200.06	.....	.....	.....	.....	.....
Fort Scott.....	1,677.28	2,025.63	.....	.....	.....	.....	.....
Junction City.....	969.44	1,211.82	.....	.....	.....	.....	.....
Total.....	3,385.20	4,220.58	.....	.....	.....	.....	.....
NEBRASKA TERRITORY.							
Omaha City.....	679.80	849.75	.....	.....	.....	.....	.....
Brownville.....	671.09	838.86	.....	.....	.....	.....	.....
Nebraska City.....	14.25	17.81	.....	.....	.....	.....	.....
Dakota City.....	564.72	705.91	.....	.....	.....	.....	.....
Total.....	1,929.86	2,412.33	.....	.....	.....	.....	.....
NEW MEXICO.							
Santa Fé.....	.....	.....	.....	.....	.....	.....	.....

RECAPIT

STATES AND TERRITORIES.							
Ohio.....	530.27	1,223.55	.....	.....	.....	.....	481.62
Indiana.....	120.00	150.00	.....	.....	.....	.....	.....
Illinois.....	1,257.45	1,571.80	.....	.....	36.26	70.14	3,521.36
Missouri.....	2,598.43	5,025.69	1,561.38	1,212.56	3,739.12	18,805.15	4,224.98
Alabama.....	477.08	745.70	280.77	228.63	1,565.96	4,053.54	29,407.78
Mississippi.....	342.10	804.25	.....	370.70	.....	.....	1,039.56
Louisiana.....	3,223.36	4,167.01	678.36	592.91	5,508.09	2,005.09	12,665.31
Michigan.....	2,892.78	3,819.89	39.00	126.47	14,548.65	13,174.57	161.06
Arkansas.....	11,304.97	15,767.92	4,374.20	15,351.50	11,055.82	8,978.86	17,277.48
Florida.....	3.13	3.91	.....	.....	.....	677.41	1,208.47
Iowa.....	3,563.02	4,650.05	.....	.....	.....	.....	.....
Wisconsin.....	8,536.16	10,989.55	4,738.30	1,624.27	1,218.12	561.17	.....
Minnesota.....	6,688.64	9,963.43	.....	.....	.....	.....	.....
California.....	65,622.46	62,236.93	.....	.....	.....	.....	.....
Oregon.....	1,536.05	1,920.06	.....	.....	.....	.....	.....
Washington Territory.....	1,155.71	1,444.64	.....	.....	.....	.....	.....
Kansas.....	3,385.20	4,220.58	.....	.....	.....	.....	.....
Nebraska Territory.....	1,929.86	2,412.33	.....	.....	.....	.....	.....
New Mexico.....	.....	.....	.....	.....	.....	.....	.....
Total.....	115,243.65	151,117.32	11,672.01	19,627.04	37,700.02	48,325.93	70,647.69

sold, of cash received, &c.—Continued.

Quantity sold at graduated prices, and am't received for the same.		Aggregate quantity sold at all prices, and am't received for the same.		Amount received in military bounty land scrip and in cash.		Incidental expenses.	Amount paid into the treasury during the second half of the fiscal year.
Acres.	Amount.	Acres.	Amount.	Mil. bounty land scrip.	Cash.		
.....		15,112.69	\$18,890 89	.....	\$18,890 89	.....	\$17,286 20
.....		1,569.69	1,962 35	.....	1,962 35	.....	4,650 00
.....		65,699.46	82,236 93	.....	82,236 93	.....	72,810 76
.....		909.12	252 65	.....	252 65	.....	133 18
.....		1,333.93	1,667 41	.....	1,667 41	.....	478 18
.....		1,536.05	1,920 06	.....	1,920 06	.....	611 36
.....		1,155.71	1,444 64	.....	1,444 64	.....	.....
.....		570.44	713 07	\$50 00	663 07	\$825 38	.....
.....		168.04	200 06	116 67	83 39	353 92	.....
.....		1,677.98	2,095 63	400 00	1,695 63	3,549 95	8,406 92
.....		969.44	1,211 82	564 62	647 20	1,133 96	3,008 05
.....		3,385.90	4,220 58	1,131 29	3,089 29	5,861 81	9,414 97
.....		679.80	849 75	.....	849 75	554 79	916 61
.....		671 09	838 86	.....	838 86	743 38	.....
.....		14.25	17 81	.....	17 81	458 17	1,599 21
.....		564.73	705 91	400 00	305 91	527 96	919 51
.....		1,929.86	2,412 33	400 00	2,012 33	2,293 60	3,435 33
.....							
.....							

ULATION.

481.62	\$60 20	1,011.89	1,283 75	.....	1,283 75	.....	1,720 00
.....	.....	190.00	150 00	.....	150 00	.....	230 00
3,627.76	475 79	4,885.21	2,047 59	1,581 64	465 96	979 19	1,476 30
29,603.19	9,577 49	32,901.62	14,603 18	10,051 18	4,552 00	3,610 47	14,033 28
35,546.68	5,932 07	36,023.76	6,677 86	49 89	6,627 97	2,440 78	12,005 62
1,410.96	407 98	1,759.36	1,212 23	.....	1,212 23	260 74	117 86
21,447.76	5,960 49	24,741.12	10,197 50	.....	10,197 50	982 37	3,600 00
28,050.75	10,729 44	30,950.51	14,549 33	.....	14,549 33	.....	17,885 64
57,137.86	25,895 20	68,443.83	41,663 12	.....	41,663 12	5,132 90	33,146 46
1,885.89	320 41	1,889.01	394 32	.....	394 32	.....	1,814 64
.....	.....	3,563.02	4,650 05	1,053 17	2,696 88	.....	3,437 56
8,171.86	6,720 85	16,708.02	17,710 40	3,624 16	14,086 24	4,365 91	14,966 47
.....	.....	6,688.64	9,963 43	6,077 73	3,885 70	8,375 16	37,058 96
.....	.....	65,699.46	82,236 93	.....	82,236 93	.....	72,810 76
.....	.....	1,536.05	1,920 06	.....	1,920 06	.....	611 36
.....	.....	1,155.71	1,444 64	.....	1,444 64	.....	.....
.....	.....	3,385.90	4,220 58	1,131 29	3,089 29	5,861 81	9,414 97
.....	.....	1,929.86	2,412 33	400 00	2,012 33	2,293 60	3,435 33
.....							
187,379.69	66,079 92	302,616.37	217,197 30	24,869 06	192,328 24	.....	297,154 46

No. 10 (1).—*Estimates of appropriations required for the office of the Commissioner of the General Land Office for the fiscal year ending June 30, 1863.*

Holds or titles of appropriations.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1863.	Estimates of the balances of appropriations unexpended on June 30, 1863, which in part may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1862.
For salary of Commissioner of the General Land Office, per act of July 4, 1836; 5 Laws, page 111, section 10			
For salary of recorder, per same act and act of March 3, 1837; 5 Laws, pages 111 and 164	\$3,000 00		
For salary of chief clerk, per act of March 3, 1833; 10 Laws, page 211	2,000 00		
For salary of three principal clerks of public lands, private land claims and surveys, per act of July 4, 1836, at \$1,800 each; 5 Laws, page 111	5,400 00		
For salary of three clerks of class four, per act of March 3, 1833; 10 Laws, page 211, section 3	5,400 00		
For salary of twenty-three clerks of class three, per same act and act of April 22, 1854; 10 Laws, pages 211 and 276	36,800 00		
For salary of forty clerks of class two, per same act	56,000 00		
For salary of forty clerks of class one, per same act	48,000 00		
For salary of draughtsman at \$1,600, and assistant draughtsman at \$1,400, per act of July 4, 1836, 5 Laws, page 112, section 10, and act of April 22, 1854, 10 Laws, page 276	3,000 00		
For salary of two messengers and three assistant messengers, per act of July 4, 1836, 5 Laws, page 112, and per joint resolution of August 18, 1856, 11 Laws, page 145, vis: one messenger, \$340; four messengers, at \$700 each, \$2,800	3,640 00		
For salary of two packers, at \$600 each, per act of July 4, 1836, 5 Laws, page 112; act of September 30, 1850, 9 Laws, page 527; and joint resolution of August 18, 1856, 11 Laws, page 145	1,200 00		
For salary of seven laborers, per joint resolution of August 18, 1856, 11 Laws, page 145, and general appropriation act of June 23, 1860	4,200 00		
For salary of seven night watchmen, per same resolution and act	4,200 00		
For salary of one day watchman, per act of June 2, 1858; 11 Laws, page 301	600 00		
	175,440 00		175,440 00

Additional appropriations under military act of March 3, 1855, and heretofore provided for, per act of August 18, 1856, making appropriations, &c., and subsequent acts.

For salary of one principal clerk as director.....	\$2,000 00	-----
For salary of one clerk of class three.....	1,600 00	-----
For salary of four clerks of class two.....	5,600 00	-----
For salary of forty clerks of class one.....	48,000 00	-----
For salary of two laborers, per joint resolution of August 18, 1856; 11 Laws, page 145.....	1,200 00	-----
	58,400 00	\$58,400 00

Provided, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair.

No. 10 (2.)

Estimates of appropriations required to meet contingent expenses of the office of the Commissioner of the General Land Office for the fiscal year ending June 30, 1863.

Holds or titles of appropriation.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1863.	Estimates of the balances of appropriations unexpended on June 30, 1862, which may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1862.
For cash system and military patents under laws prior to September 28, 1850; patent and other records, tract books and blank books for this and the district land offices; binding plates and field-notes; stationery, furniture, and repairs of same, and miscellaneous items, including two of the city daily newspapers, to be filed, bound, and preserved for the use of the office; also for contingent expenses in addition, under swamp land act of September 28, 1850, military bounty land acts of September 28, 1850, March 22, 1852, and act of August 31, 1852, for satisfaction of Virginia land warrants, and for contingent expenses under act of March 3, 1855, granting bounty land, and amendatory act of May 14, 1856, for patents, patent and other records; stationery and miscellaneous items on account of bounty lands under said acts. For fuel, lights, and incidental expenses attending the same, including pay of furnace-keepers.	\$30,000 00 2,000 00	\$12,000 00 1,000 00	\$42,000 00 2,000 00

No. 11.

Estimates of appropriations for the surveying department for the fiscal year ending June 30, 1863.

Object of appropriations.	Estimated by the surveyors general.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1863.	Estimates of the balances of appropriations unexpended on June 30, 1863, which in part may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1863.
<i>For compensation of surveyors general and their clerks, and for contingent expenses of the offices of the surveyors general of Oregon, California, Washington, New Mexico, Kansas, and Nebraska, Utah, Dakota, Colorado, and Nevada, in addition to the unexpended balances of former appropriations.</i> 1. For compensation of the surveyor general of Wisconsin and Iowa, per act of August 8, 1846; 9 Statutes, page 79, section 1..... 2. For compensation of the clerks in the office of the surveyor general of Wisconsin and Iowa, per act of August 8, 1846; 9 Statutes, page 79, section 1..... 3. For compensation of the surveyor general of Oregon, per act of March 3, 1853; 10 Statutes, page 248, section 11..... 4. For compensation of the clerks in the office of the surveyor general of Oregon, per act of September 27, 1850; 9 Statutes, page 496, section 2..... 5. For compensation of the surveyor general of California, per act of March 3, 1853; 10 Statutes, page 244, section 1..... 6. For compensation of the clerks in the office of the surveyor general of California, per act of March 3, 1853; 10 Statutes, page 246, section 2..... 7. For compensation of the surveyor general of Washington Territory, per act of March 3, 1855; 10 Statutes, page 674, section 26..... 8. For compensation of the clerks in the office of the surveyor general of Washington Territory, per act of March 3, 1855; 10 Statutes, page 674, section 26..... 9. For compensation of the surveyor general of New Mexico, per act of July 22, 1854; 10 Statutes, page 308, section 1..... 10. For compensation of the clerks in the office of the surveyor general of New Mexico, per act of July 22, 1854; 10 Statutes, page 308, section 1.....	\$2,000 6,300 3,500 4,000 4,500 22,000 3,000 8,000 3,000 6,600	\$2,000 00 6,300 00 3,500 00 4,000 00 4,500 00 11,000 00 3,000 00 4,000 00 3,000 00 4,000 00	----- ----- ----- ----- ----- ----- ----- ----- ----- -----	\$2,000 00 6,300 00 3,500 00 4,000 00 4,500 00 11,000 00 3,000 00 4,000 00 3,000 00 4,000 00

Estimates of appropriations—Continued.

Object of appropriations.	Estimated by the surveyors general.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1865.	Estimates of the balances of appropriations unexpended on June 30, 1863, which in part may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1865.
11. For compensation of a translator in the office of the surveyor general of New Mexico.....	\$2,000	\$1,826 09	\$173 91	\$2,000 00
12. For compensation of the surveyor general of Kansas and Nebraska, per act of July 22, 1854; 10 Statutes, page 309, section 10.....	2,000	2,000 00	-----	2,000 00
13. For compensation of the clerks in the office of the surveyor general of Kansas and Nebraska, per act of July 22, 1854; 10 Statutes, page 309, section 10.....	10,700	6,300 00	-----	6,300 00
14. For compensation of the surveyor general of Utah, per act of February 21, 1855; 10 Statutes, page 611, section 1, and section 3 of act March 3, 1857, 34th Congress, page 213.....	4,000	4,000 00	-----	1,274 73
15. For compensation of the surveyor general of Minnesota, per act of May 18, 1796; 1 Statutes, page 464, section 10, and act of March 3, 1857, section 3, 34th Congress, page 213.....	2,000	2,000 00	-----	2,000 00
16. For compensation of the clerks in the office of the surveyor general of Minnesota, per act of May 9, 1836; 5 Statutes, page 26, section 1, and act of March 3, 1857, section 3, 34th Congress, page 213.....	9,300	6,300 00	-----	6,300 00
17. For compensation of the surveyor general of the Territory of Dakota, per act of March 2, 1861; Laws, 1860-'61, page 244, section 17.....	2,000	2,000 00	-----	2,000 00
18. For compensation of the clerks in the office of the surveyor general of Dakota, per act of March 2, 1861; Laws, 1860-'61, page 244, section 17.....	6,300	6,300 00	-----	-----
19. For compensation of the surveyor general of the Territory of Colorado, per act of February 28, 1861; Laws, 1860-'61, page 176, section 17.....	3,000	3,000 80	-----	3,000 00
20. For compensation of the clerks in the office of the surveyor general of the Territory of Colorado, per act of February 28, 1861; Laws, 1860-'61, page 176, section 17.....	4,500	4,000 00	-----	-----
21. For compensation of the surveyor general of the Territory of Nevada, per act of March 2, 1861; Laws, 1860-'61, page 214, section 17.....	3,000	3,000 00	-----	3,000 00
22. For compensation of the clerks in the office of the surveyor general of the Territory of Nevada, per act of March 2, 1861; Laws, 1860-'61, page 214, section 17.....	8,000	4,000 00	-----	-----

23. For salary of the recorder of land titles in Missouri, per act of March 2, 1805; 2 Statutes, page 326.....			500 00	-----	500 00
24. For rent of the surveyor general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, act of September 27, 1850, section 2; 9 Statutes, page 496.....	3,000		1,400 00	600 00	2,000 00
25. For rent of the surveyor general's office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, act of March 3, 1853, section 2; 9 Statutes, page 245.....	5,000		4,000 00	-----	3,000 00
26. For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, act July 17, 1854, section 7; 10 Statutes, page 306.....	2,500		2,000 00	500 00	2,000 00
27. For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses, act July 22, 1854, section 1; 10 Statutes, page 308.....	2,500		2,000 00	-----	2,000 00
28. For office rent of the surveyor general of Kansas and Nebraska, fuel, and incidental expenses, act July 22, 1854, section 10; Statutes at Large, vol. 10, page 310.....	3,000		2,000 00	-----	2,000 00
29. For rent of the surveyor general's office in the Territory of Dakota, fuel, and incidental expenses, per act of March 3, 1861; Laws, 1860-'61, page 244, section 17.....	2,000		2,000 00	-----	2,000 00
30. For rent of the surveyor general's office in the Territory of Colorado, fuel, books, stationery, and other incidental expenses, per act of February 28, 1861; Laws, 1860-'61, page 214, section 17.....	3,100		2,000 00	-----	2,000 00
31. For rent of the surveyor general's office in the Territory of Nevada, fuel, books, stationery, and other incidental expenses, per act of March 2, 1861; Laws, 1860-'61, page 214, section 17.....	3,000		2,000 00	-----	2,000 00
Total.....		107,936 09	1,273 91	-----	-----

EXPLANATIONS.

11. The organic act provided no compensation for translator. Special appropriations of \$2,000 per annum have been made for that purpose from year to year.
14. The compensation by law is \$4,000 per annum. The appropriation for the fiscal year ending June 30, 1862, is \$1,274 72, owing to an unexpended balance of \$2,725 28 of former appropriations for the same object.
18. The compensation by law is the same as that for the office of the surveyor general of Kansas and Nebraska, which is \$6,300 per annum.
- 20 and 22. The compensation by law is the same as that for the office of the surveyor general of New Mexico, which is \$4,000 per annum.
26. The law allows not exceeding \$10,000 per annum. The present estimate covers \$2,100 for rent of office, \$700 pay of messenger, and \$600 for stationery, \$400 for fuel, and \$200 for other contingent expenses of the surveyor general's office; and as there will exist no unexpended balance of former appropriations for that purpose, the amount of \$4,000 now estimated will be absolutely necessary to maintain the office.
- 24, 26, and 27. The organic acts of the respective surveying districts provide \$1,000. The actual necessary expenses to maintain the offices having long since proved to exceed the amount, special estimates have been submitted from year to year and appropriations made. The actual expenses of the office for Oregon are \$2,000, Washington 2,600, and New Mexico \$2,000.

GENERAL LAND OFFICE, November 30, 1861.

No. 12 (1.)

Estimates of appropriations required for surveying the public lands for the fiscal year ending June 30, 1863.

Object of appropriations.	Amounts estimated by surveyors general.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1863.	Estimates of the balances of appropriations unexpended on June 30, 1862, which may be applied to the service of the next fiscal year	Appropriations for the service of the fiscal year ending June 30, 1862.
1. For surveying the public lands, exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, Utah, Dakota, Colorado and Nevada. This estimate includes incidental expenses of island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several districts according to the exigencies of the public service, including the expenses of selecting swamp lands, the compensation and expenses of surveyor to locate private land claims in Louisiana, in addition to the unexpended balances of former appropriations for the same object, which will be absorbed by the work under contract.	\$58,246 00 +17,500 00 75,746 00	\$12,000 00	\$8,500 00	\$50,000 00
2. For surveying public lands and private land claims in California, to be disbursed at the rates prescribed by law for different kinds of work	150,000 00	10,000 00	-----	20,000 00
3. For surveying the public lands and private land claims in New Mexico, to be disbursed at the rates prescribed by law	40,000 00 149,986 00	5,000 00 10,000 00	----- -----	10,000 00 20,000 00
4. For surveying the public lands in Kansas and Nebraska: also outlines of Indian reservations	-----	2,000 00	-----	2,000 00
5. For salary of the clerk for the special service in the General Land Office to attend to the unfinished surveys in the States where the offices of the surveyors general have been closed	-----	5,000 00	-----	15,000 00
6. For surveying the public lands in Oregon, to be disbursed at the rates now authorized by law	42,240 00	-----	-----	-----

Object of appropriations.

7. For surveying the public lands in Washington Territory, at the rates now authorized by law	72,912 00	5,000 00	-----	15,000 00
8. For surveying the public lands in Dakota Territory	25,322 00	5,000 00	-----	-----
9. For surveying the public lands and confirmed private land claims in Colorado Territory	72,840 00	5,000 00	-----	-----
10. For surveying the public lands and confirmed private land claims in Nevada Territory	50,100 00	5,000 00	-----	-----
		64,000 00	8,500 00	152,000 00

o Minnesota.

† Wisconsin and Iowa.

EXPLANATIONS OF THE FOREGOING ESTIMATES.

1. The amount of \$12,000, together with \$5,500 of unexpended balance, is to be apportioned as follows: To the State of Minnesota \$8,000, and to Wisconsin \$7,000, exclusive of \$2,000 each for rent of office, pay of messenger, and other incidental expenses of the respective surveyors general's offices, and leaving \$1,500 for unforeseen exigencies, to be adjusted, however, hereafter according to the requirements of the public service.
2. This amount of \$10,000 is to be chiefly applied to the survey of confirmed private land claims and expenses of advertising the same, under provisions of an act of Congress, approved June 14, 1860; Laws, 1859 and 1860, page 32.
3. This amount of \$5,000 is to be chiefly applied to the survey of confirmed private claims.
4. This amount of \$10,000 is deemed necessary to prepare for market quantity of lands in proportion as surveyed lands are disposed of.
5. This sum of \$2,000 is for the salary of a clerk to attend to the unfinished surveys in the field in those States where the offices of the surveyors general have been closed, the superintendence of which devolved on the Commissioner of the General Land Office.—(See Statutes at Large, volume 11, page 321.
- 6 and 7. The sums of \$5,000 each are deemed necessary for the survey of the public lands in the respective surveying districts.
8. This amount of \$5,000 is deemed necessary for the survey of the public lands.
- 9 and 10. The sums of \$6,000 each are deemed requisite for the survey of the public lands and confirmed private land claims.

GENERAL LAND OFFICE, November 30, 1861.

No. 12 (2.)

Estimates of appropriations for the surveying department to supply deficiencies for the fiscal years ending June 30, 1860, 1861, and 1862.

Object of appropriations.	Amount.
1. For compensation of the surveyor general of Illinois and Missouri; Statutes at Large, vol. 3, page 412.....	\$2,000 00
2. For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses; Statutes at Large, vol. 10, page 308	914 36

EXPLANATIONS.

1. In submitting estimates for the surveying service on the 22d of October, 1860, for the fiscal year ending June 30, 1862, none was presented for the compensation of the surveyor general of Illinois and Missouri, because it was then expected that the office of the surveyor general would be closed on the 30th of June, 1861. The condition, however, of the unfinished office-work having proved to require longer time, the present surveyor general has been instructed to complete the work and close the office at the furthest date by the 30th June, 1862. The foregoing sum of \$2,000 is therefore required to pay the surveyor general's salary up to that date. Should it be found practicable to close the office at an earlier day, the surplus will of course remain in the treasury.

2. The sum of \$914 36 consists of actual deficiency of \$518 90 in the appropriation of \$3,000, per act March 3, 1859, and of \$395 46 in the appropriation of \$2,500, per act June 23, 1860.

GENERAL LAND OFFICE, November 30, 1861.

No. 13—A¹

SURVEYOR GENERAL'S OFFICE,
Dubuque, October 10, 1861.

SIR: In accordance with usage and the requirements of your letter of instructions of 14th of June last, I have prepared and submit (in triplicate) the following report of the operations of this office during the year ending this day.

I would first call your attention to our proceedings in the Territory of Dakota, until its removal from this jurisdiction in July last.

In this Territory during the past year there has been surveyed and established the base line between townships Nos. 94 and 95, of ranges Nos. 48 to 61 inclusive, extending from the Big Sioux river to the eastern boundary of the Yancton Indian reservation, a total distance of eighty-one miles; also, lines between ranges Nos. 48 and 49, and 49 and 50, of township No. 90; lines between ranges 48 and 49 to 50 and 51 inclusive, of township No. 91; lines between ranges 49 and 50 to 53 and 54 inclusive, and 60 and 61, and 61 and 62, of township No. 92; lines between ranges 48 and 49 to 61 and 62 inclusive, of townships Nos. 93 and 94; lines between townships Nos. 88 and 89, of range 48; line between townships 89 and 90, of ranges Nos. 48 and 49; lines between townships Nos. 90 and 91, of ranges 48, 49, and 50; lines between townships 91 and 92, of ranges 49, 50, 51, and 52; lines between townships 92 and 93, of ranges 49 to 54 inclusive, and 60, 61, and 62; and lines between townships Nos. 93 and 94, of ranges No. 48 to 62 inclusive; making a total of three hundred and forty-five and a half miles of township lines.

The following townships have been surveyed and subdivided into sections in said district, viz: township No. 89, of range 48; township No. 91, of range 52; township No. 92, of same range; township No. 93, of ranges 55 and 56; and township No. 93, of range 59; in all, a total of subdivision and meander lines of two hundred and thirty-one miles and sixteen chains, the whole of which is unsurpassed for fertility, and has been settled with unexampled rapidity. Most of the townships subdivided were even at the date of survey entirely covered with claims of actual settlers, and several of them contained very respectable-sized towns and villages.

It is a source of great gratification to be able to state that, unprovided as we were with any map of this new country, or other data on which to base calculations, to conform to the strict instructions issued by your office, the survey of this whole district was carefully and faithfully made in strict accordance therewith, at so trifling an excess of the appropriation (some fifty dollars) that it is scarcely worth naming.

The office-work pertaining to this portion of my district consists of the examination of four hundred and twenty-six and one-half miles of township lines, which have been carefully platted and the diagrams prepared and forwarded, as have also two hundred and thirty-one and a quarter miles of subdivision and meander lines.

Original lists, descriptive of the land and all the corners contained in seven townships, have been carefully made out and compared, together with one copy of each of said lists for the use of the respective land offices, making a total of fourteen lists.

The original plats of township No. 89, of range 48; townships Nos. 91 and 92, of range 52; township No. 93, of ranges 55 and 56; and township No. 93, of range 59, have been constructed, examined carefully with the field-notes, the areas computed and meanders entered; also, one copy of each has been made for the General Land Office, and one copy for the register of the respective land offices, making a total of eighteen maps.

The original field-notes of each of the aforementioned townships, with those of

township No. 101, range 49, have been recorded and carefully compared, and transcripts of each of them have been made for preservation at Washington; making a total of fourteen townships of records and transcripts.

Index diagrams to preface the foregoing records and transcripts have been constructed—in all, fourteen diagrams. All the original and register's plats, (of the townships subdivided under authority of this office,) records and transcripts of original field-notes and descriptive lists, were made out, carefully examined and compared, and, pursuant to your letter of instructions of 22d of April last, they, with the original field-notes, letters, papers, diagrams, treaties, and in fact every thing pertaining to the public surveys in this Territory, were on the 13th day of July last turned over to Mr. Hill, surveyor general of that district, and duplicate receipts taken therefor, one of which was forwarded to you.

A glance at the accompanying map (marked No. 2) will exhibit the condition of the surveys in this Territory, as well as the work performed in this office, previous to the transfer to the surveyor general of the new district.

In the State of Wisconsin there has been let for survey, out of the appropriation for the present year, all that tract of country north of and including the line between townships Nos. 43 and 44, west of the line dividing ranges Nos. 4 and 5, south of the boundary between the States of Michigan and Wisconsin, and east of the fourth principal meridian. There has also been let for subdivision all the townships and fractional townships north of the line dividing townships Nos. 43 and 44, west of the line dividing ranges Nos. 3 and 4, east of the fourth principal meridian, and south of the Montreal river and boundary between Wisconsin and Michigan; also, township No. 33, of ranges Nos. 9, 10, and 11; and there has been completed, but not returned, in this portion of the State, township No. 35, of ranges Nos. 6 and 7, and townships Nos. 41 and 42, of ranges Nos. 9, 10, and 11.

East of the fourth principal meridian, the lines between ranges 4 and 5, 5 and 6, and 6 and 7, of townships Nos. 41, 42, 43, and 44; lines between ranges 7 and 8, of townships Nos. 41 and 42; lines between townships Nos. 41 and 42, 42 and 43, and 43 and 44, of ranges Nos. 5, 6, and 7; and lines between ranges Nos. 4 and 5, 5 and 6, 6 and 7, and 7 and 8, of townships Nos. 35 to 40, inclusive; lines between ranges Nos. 8 and 9, 9 and 10, 10 and 11, 11 and 12, and 12 and 13, of townships Nos. 41 and 42; lines between ranges 7 and 8, 8 and 9, and 9 and 10, of township No. 43; lines between townships 35 and 36, 36 and 37, 37 and 38, 38 and 39, and 39 and 40, of ranges Nos. 5, 6, 7, and 8; lines between townships Nos. 41 and 42, of ranges Nos. 8, 9, 10, 11, 12, and 13; and lines between townships Nos. 42 and 43, of ranges Nos. 8, 9, and 10, have been established; making a total of three hundred and seventy-one miles and fifteen chains, which have all been carefully examined, platted, and forwarded.

It is with surprise and regret that I learned and have to state to you that, in closing this work to its east boundary, said boundary is charged with being very defective, not only in marking, but in measurement; and several communications have been received (in addition to the field-notes furnished) which appear to justify the charge. This is a matter which requires action at the earliest practicable day, and I had almost determined to order an examination at once; but, on reflection, concluded the proper manner would be to submit the case for your consideration, and, if necessary, can forward the field-notes of examination of said line, hoping that you will give it your immediate attention; for it is evident that if the work is done in the manner charged, a thorough resurvey will be necessary before a single township can be subdivided.

There has been surveyed and subdivided into sections townships Nos. 31 and 32, of range No. 9; townships 31 and 32, of range No. 10, and the same numbered townships of range No. 11. All of which have been carefully examined, platted, and forwarded, and make a total of three hundred and sixty-five and one-half miles of subdivision and meander lines. There is yet, out of the last

year's appropriation, eight townships, viz: townships Nos. 41 and 42, of ranges Nos. 9, 10, and 11, and township No. 35, of ranges Nos. 6 and 7, which have not been examined; indeed, I have only just received four of them, and the promise that the remainder of the field-notes will be forwarded in a very short time.

West of the fourth principal meridian there has been let for survey the present season township No. 42, of range 9; township No. 45, of ranges Nos. 2 and 5; township No. 46, of range 1, and all that portion of fractional township No. 47, of range 1, that is not included in the reservation of the La Pointe band of Indians; these, when completed, will close up the surveys west of the fourth principal meridian; and I have no doubt that the field-notes thereof will be returned early the coming winter, as the work is in charge of an old and experienced deputy, with orders to push it as fast as accuracy will permit.

During the past year, in this portion of the district, township No. 44, of range 1; township No. 45, of range 3; township No. 45, of range 4; and townships Nos. 46, 47, and 48, of range 15, have been surveyed into sections, making a total of three hundred and fifty-seven miles which have been examined, platted, and forwarded; all these townships, from the many communications received in regard thereto, and the special instructions of your office, would seem to be of the highest importance, and it is with much pleasure that I have to report their completion.

The accompanying map of the State of Wisconsin, marked No. 1, is particularly recommended to your attention. It will at once display the condition of the surveys in said State, as well as of the office-work. Comparison with paper of the same number accompanying last year's report will show that the original plats of fifteen townships in this State, consisting of townships Nos. 31 and 32, of ranges 9, 10, and 11, and township No. 33, of ranges Nos. 9, 10, and 11, all east; and township No. 44, range 1; township No. 45, range 3; township No. 45, range 4, and townships Nos. 46, 47, and 48, of range 15, have been constructed, the meanders entered, and the fractional as well as areas on the north and west boundaries of each computed. One copy of each has also been made for the use of the General Land Office, and one for the registers of the respective land offices; making a total of 45 Wisconsin maps.

The original field-notes of four hundred and ninety-four and one-fourth miles of township lines have been carefully examined and platted, and diagrams made and forwarded, and nine hundred and four and one-half miles of subdivision and meander lines have also received the same attention.

Original lists, descriptive of the land and all the corners in the following townships, viz: Townships Nos. 28, 29, and 30, of range No. 1; townships 29 and 30, of range 2; townships 39 and 40, of range 5; township 35, of range 14; township 35 of range 15, and townships Nos. 38 and 39, of same range; all west of the fourth principal meridian; also township No. 28, range 14; township No. 28, range 16; township No. 28, range 19; township No. 29, of ranges Nos. 13, 14, 16, 17, 18, and 19, and township No. 30, of ranges Nos. 15, 16, 17, 18, and 19, all east of the fourth meridian, have been made out and carefully compared, and one copy of each has also been made for the use of the respective land offices; making a total of 50 lists in Wisconsin.

The original field-notes of townships Nos. 39 and 40, 41, 42, 43, and 44, of range Nos. 5; townships Nos. 31, 32, 33, 34, 35, 36, 38, 39, and 40, of range No. 15, and townships Nos. 21, 22, 23, and 24, of range No. 8; all west of the fourth principal meridian, and township No. 27, of range 15; township No. 34, 35, and 36, of range No. 14; townships Nos. 31 and 32, of range No. 9; townships Nos. 31 and 32 of range No. 10, and townships Nos. 31 and 32, of range No. 11, all east of the fourth meridian, have been recorded, compared, and placed on file in this office.

Transcripts of each of the aforementioned townships, except the last six, have been made out for preservation at the seat of government.

Index diagrams to preface the records and transcripts of fifty-two townships in the State of Wisconsin have been made.

In the State of Iowa I have, in compliance with your instructions of 14th June last, closed up the surveys by letting for subdivision townships Nos. 99 and 100, of range No. 36. It is useless to enter into details explanatory of the long delay in closing up this work. It is now finished, and I trust that *my* action in the premises will meet with your approval. Nothing more in the way of field-work now remains to be done in the State of Iowa, and I am using my utmost endeavors to have the office-work speedily completed, not only in this State but in Wisconsin also.

I must again beg leave to renew my recommendation with reference to recording original field-notes for the reasons already stated, and from the fact that the records are already nearly all bound and labelled, blank spaces having been left for the few remaining townships yet to be written. A failure to insert them would mar the whole work.

Since the date of the last report the original field-notes of townships Nos. 79, 98, 99, and 100, of range No. 38; townships Nos. 98, 99, and 100, of range 39; townships Nos. 95, 96, 97, 98, 99, and 100, of range 40; townships Nos. 98, 99, and 100, of range 41; townships Nos. 97, 98, 99, and 100, of range 43; townships Nos. 91, 97, 98, 99, and 100, of range 46; townships Nos. 97, 98, 99, and 100, of ranges Nos. 47 and 48; townships Nos. 95, 96, 97, 98, 99, and 100, of range No. 42; townships Nos. 97, 98, 99, and 100, of range No. 45; townships Nos. 95, 96, 97, 98, 99, and 100, of range No. 34; townships Nos. 93, 94, and 95, of ranges Nos. 36 and 37, and township No. 95, of range No. 35, all west of the fifth principal meridian, have been recorded, examined, and placed on file in this office.

Transcripts of each of the aforementioned townships have been made for preservation at the seat of government.

Index diagrams to preface the records and transcripts of one hundred and twelve townships have been made.

Original maps of townships Nos. 99 and 100, of range No. 36, have been constructed, the fractional areas computed, and meanders entered. One copy of each has also been made for the General Land Office, and another for the use of the register of the proper land office, making a total of six maps.

Original lists, descriptive of the land and all the corners in some forty townships, with one copy of each for the use of land offices, have been made out and carefully compared.

The original field-notes of one hundred and forty-two miles of subdivisions and meander lines have been returned, examined, platted, and forwarded; and I would here state that a more difficult piece of work than the above is rarely encountered, it having been gone over in the field and office at least five times.

I would respectfully refer you to the accompanying paper, marked No. 2, which will at once exhibit the condition of the office and field work in the State of Iowa.

The accompanying paper, marked No. 3, is an estimate for appropriations for the year ending June 30, 1863.

No. 4 is a summary of the incidental expense account of this office for the past year.

West of the fourth principal meridian the surveys are all finished or let. East of said meridian there are only about four hundred and eighty miles of township lines to be let for survey, and about one hundred and fifty townships of

subdivision. West of the fifth meridian, in the State of Iowa, the surveys are all completed, and the office-work rapidly progressing.

All of which is respectfully submitted.

THOS. J. TOWNSEND,
Surveyor General.

Hon. J. M. EDMUNDS,
Commissioner of the General Land Office, Washington, D. C.

No. 3.

Estimate for appropriations requisite to continue the public surveys in the State of Wisconsin during the year ending June 30, 1863.

For survey of township lines east of the fourth principal meridian . . .	\$3,800
For survey and subdivision into sections of thirty-four townships between the third and fourth correction parallels	11,200
For incidental expenses	2,500
Total	<u>17,500</u>

THOS. J. TOWNSEND,
Surveyor General.

SURVEYOR GENERAL'S OFFICE,
Dubuque, October 10, 1861.

Estimate for salary of surveyor general of Wisconsin and Iowa, and the clerks in his office, (as per act of 10th August, 1848,) for the year ending June 30, 1863.

For salary of Thos. J. Townsend, surveyor general	\$2,000
For salary of George M. O'Brien, chief clerk	1,500
For salary of Samuel Bugh, principal draughtsman	1,300
For salary of Eugene H. Townsend, clerk	1,300
For salary of William Johnson, clerk	1,100
For salary of Isaac N. Higbee, clerk	1,100
Total	<u>8,300</u>

THOS. J. TOWNSEND,
Surveyor General.

SURVEYOR GENERAL'S OFFICE,
Dubuque, October 10, 1861.

No. 4.

DR. *The United States in account current with Warner Lewis, surveyor general for Wisconsin and Iowa.* CR.

1861. Jan. 1	To amount disbursed during fourth quarter of 1860--	1861. Jan. 1	\$409 05	By this amount from third quarter of 1861.....	\$114 29
				By treasury draft No. 4984 on Treasury Interior warrant 4366	250 00
				By this amount due surveyor general.....	45 16
	To balance due Warner Lewis, late surveyor general..		409 05		409 45
			45 16	Settled by charge in final account of May 27, 1861..	45 16

DR. *The United States in account current with Thomas J. Townsend, surveyor general of Wisconsin and Iowa.* CR.

1861. June 24	To amount disbursed during first quarter 1861	1861. June 24	\$281 75	By treasury draft No. 6242 on Treasury Interior warrant 5584	\$300 00
	To amount due United States, and carried to credit of second quarter 1861		18 25		300 00
			300 00		18 25
June 30	To amount disbursed during second quarter 1861.....	June 30	313 32	By this amount from first quarter 1861.....	300 00
	To amount due United States, and carried to third quarter 1861.		4 93	By treasury draft No. 6586 on Treasury Interior warrant 6931	318 25
			318 25	By balance due United States.....	4 93

THOMAS J. TOWNSEND, Surveyor General.

SURVEYOR GENERAL'S OFFICE, Dubuque, October 10, 1861.

No. 13—B.

SURVEYOR GENERAL'S OFFICE,
Eugene City, Oregon, September 30, 1861.

SIR: In conformity to instructions and the usage of this office, I have the honor to submit the annual report of the progress of the public surveys and other service of this office for this district during the year ending the 30th June, 1861.

The diagram map of Oregon herewith transmitted exhibits the surveys completed, and the work contemplated and proposed for future appropriations.

Statement A will show in detail the condition of contracts not closed the 30th August, 1860.

Statement B, the condition of contracts made for the surveys of public lands since August 30, 1860.

Statement C, the number of maps of townships of subdivisions, exterior township, base, standard parallel, and guide meridian lines, plats of which have been sent to the General Land Office and to the local land offices since September 30, 1860.

Statement D, the number of maps of townships in which the survey of private land claims has been closed, and copies of which have been sent to the General Land Office and the proper local land office since September 30, 1860.

Statement E, showing the disbursement of the appropriation of June 15, 1860, for the extension of the public surveys in the year ending June 30, 1861.

Statement F, showing the disbursement of the appropriation for the salaries and pay of clerks in the surveyor general's office for the year ending June 30, 1861.

Statement G, appropriation for defraying office rent, fuel, and incidental expenses for the year ending 30th June, 1861. No vouchers or record of this disbursement in this office.

Statement H, estimate of surveying and office expenditures for fiscal year ending 30th June, 1863.

EXTENSION OF THE PUBLIC SURVEYS.

On the diagram map accompanying this report are indicated, in broken lines, the extension of the guide meridian south, between ranges Nos. 17 and 18 east, of the Willamette meridian; the 1st standard parallel south, eastwardly to the guide meridian between ranges Nos. 30 and 31, east of the same meridian; and the guide meridian, through townships 1, 2, 3, 4 and 5 south, between ranges Nos. 30 and 31 east. The base line east to the Snake river, the eastern boundary of the State, the exterior and subdivision lines of townships north of base line, and between ranges Nos. 17 and 33, east of Willamette meridian, to close up the unsurveyed portions between base line and the Columbia river. Besides this, but not indicated upon the map, may be some few fractional townships in the southwestern part of the State, near the Pacific ocean, on the Coquille, Coos, Rogue, and Smith rivers, &c. Some parts of the lines indicated will, in all probability, be found impracticable to survey, and the estimates are considered ample to cover all that can be surveyed of those lines.

It is desirable to push the surveys of base line east to the eastern boundary of the State; the guide meridian south, between ranges Nos. 30 and 31 east, and the 1st standard parallel eastwardly as far as indicated, in order to include settlements in the Blue mountains, and eventually to reach the Grand Ronde country. Much of this country is described as valuable; and even if the surveys should extend over country which is not yet occupied by settlers, it would still be of great value in enabling the State to locate a part, if not all, of the 500,000 acres of lands granted by Congress.

The discovery of extensive and rich gold fields near the eastern part of the State has drawn a large population in that direction, many of whom will undoubtedly settle there.

The extension of the guide meridian, between ranges Nos. 17 and 18 east, is desirable. Some valuable lands are known to exist in the Des Chutes valley and on the eastern slope of the Cascade range of mountains, and in the country north and east of the Klamath lakes. Whether it will be practicable to survey that line on account of the Indians, I cannot now determine. Many settlers from the Willamette valley are now absent in that section exploring, and from them, on their return, much valuable information is expected.

In the southwestern part of the State, on some of the rivers, as the Coquille, Coos, Rogue, Smith, and Chetco rivers, and along the coast, there are still said to be settlements not included in the public surveys, and which the settlers are anxious to have surveyed. These townships are in some instances fractional addenda to townships already partially surveyed, and some near the ocean are full townships.

PRIVATE LAND CLAIM SURVEYS.

Since the date of the last annual report 40 townships of claim surveys have been closed, maps made and transmitted to the General Land Office and to the local land offices.

The old notes of these surveys are very voluminous, and in many respects defective, lacking in many instances the certificates of approval of the surveyor general under whose administration the surveys were executed, and who have certified to the maps of claims made from them. In some instances the affidavits of those who assisted in the surveys are omitted, or they have been separated from the notes, and are now not to be found. Four clerks are now transcribing them, and care will be taken to remedy omissions by getting new affidavits when the deputy can be found. When the notes do not bear the certificate of approval of the surveyor general, a note will be made, stating that comparison has been made with the maps on file in this office, which were certified by ———, surveyor general, and special certificate for such cases will be made. Both draughtsmen of the office are also employed on the claims survey map when not engaged on the maps of public surveys, no returns of which have yet been made for the current year's appropriation.

Claim surveys yet unapproved, some of the notes of which are not yet corrected by the deputy surveyor, will be urged to completion as rapidly as the force in the office will permit.

I have the honor to be, very respectfully, your obedient servant,

B. J. PENGRA,

Surveyor General of Oregon.

Hon. J. M. EDMUNDS,

Commissioner of the General Land Office.

A.

Statement showing the condition of surveying contracts not closed August 30, 1860.

No. of contract.	Date of contract.	Contractor's name.	Description of lines.	Estimated distance.	Miles run.	Price.	Gross amount.	Remarks.
90	June 7, 1860	Henry J. O. Averill.....	Addenda to subdivisions township 14 south, range 1 east.	Miles. 10	M. ch. Rr. 5 39 00	Per mile. \$13 00	\$65 85	Contract closed, and accounts reported for payment March 26, 1861.
91	Sept. 11, 1860	Ebenezer E. Haß.....	Exterior and subdivision lines of townships 1, 2, and 3 north, range 27 east, and 4 north, range 26 east, of Willamette meridian, and remeasurement of base line.	988	935 36 06	12 00	3,543 90	In two accounts, contract closed, and accounts reported for payment February 27, 1861.
92	Sept. 12, 1860	Josiah A. Burnett.....	Exterior and subdivision lines of townships 1 and 2 north, range 31 east, Willamette meridian.	144	151 49 79	12 00	1,819 46	Contract closed, and account reported for payment February 27, 1861.
93	Sept. 13, 1860	Daniel Murphy.....	Guide meridian south from northeast corner township No. 1 south, range 17 east, and third standard parallel west from the guide meridian to southeast corner township 13 south, range 14 east, Willamette meridian.	96	96 00 00	20 00	1,920 00	Contract closed, and account reported for payment December 26, 1860.
94	Sept. 17, 1860	Lafayette Cartee.....	"First standard parallel south," west from the guide meridian, to southwest corner township 5 south, range 11 east, and from guide meridian east to southeast corner township 5 south, range 27 east, Willamette meridian.	102	46 03 50	20 00	920 87	Contract closed, and accounts reported for payment December 26, 1860.
95	Sept. 19, 1860	Wm. B. Campbell.....	Exterior lines township 4 north, ranges 29 and 30 east; subdivision lines townships 1 and 3 north, range 30 east, Willamette meridian, and remeasurement of base line.	144	139 35 18	12 00	1,672 27	Contract closed, and accounts reported for payment March 27, 1861.
96	Oct. 14, 1860	Lafayette Cartee.....	Exterior lines township 5 south, ranges 11, 12, and 13 east; 4 south, ranges 12 and 13 east; and subdivision township 5 south, range 12 east, and 4 south, ranges 12 and 13 east, Willamette meridian.	223	945 39 07	12 00	2,945 86	Contract closed, and accounts reported for payment February 4 and March 26, 1861.

B. J. FENGRA, Surveyor General.

B.

Statement showing the contracts made for surveying the public lands since August 30, 1860.

No.	Date.	Contractor's name.	Description of lines.	Estimate of distance.	Price per mille.	Gross am't.	Remarks.
97	1861. July 2	Andrew W. Patterson.	Exterior and subdivision lines township No. 1 north, ranges 15, 16, 17 east, and subdivision lines of fractional township No. 2 north, ranges 15, 16, and 17 east, of Willamette meridian.	394	\$12 00	\$2,888	Work progressing; contractor in the field.
98	July 8	Lafayette Carlee	Exterior and subdivision lines township 1 south, range 12 east, and 1 and 2 south, range 17 east, and exterior lines townships 3, 4, and 5 south, range 17 east, of Willamette meridian.	252	12 00	3,024	Work progressing; contractor in the field.
99	July 8	Ebenezer E. Haft.....	Exterior and subdivision lines of townships 1, 2, and 3 north, range 26 east, of Willamette meridian.	216	12 00	2,592	Field-work completed; notes not yet returned.
100	August 1	Dolphus S. Payne.....	Exterior and subdivision lines township 3 north, range 31 east, and 4 and 5 north, range 30 east, of Willamette meridian.	216	12 00	2,592	Work progressing; contractor in the field.
101	August 5	Timothy W. Davenport	Exterior and subdivision lines of townships Nos. 4 and 5 north, range 29 east, and 5 north, range 27 east, of Willamette meridian.	220	12 00	2,640	Work progressing; contractor in the field.

B. J. PENGRA, *Surveyor General.*

C.—Statement of original plats of exteriors and subdivisinal lines of townships, and copies transmitted to the General Land Office and local land offices since September 30, 1860.

No.	Date of contract.	Contractor's name.	Date of voucher.	Lines, townships, and ranges.	District.	Original.	Sent to commissioner.	Sent to register.	Total.
90	June 7, 1860	Henry H. Averill.....	Jan. 29, 1861	Subdivisions of township 14 south, range 1 east	Willamette.	1	1	1	3
91	Sept. 11, 1860	E. E. Haft.....	Dec. 31, 1860	Exterior of townships 1, 2, and 3 north, range 27 east; exterior of township 1 north, range 28 east. Subdivisions of townships 1, 2, and 3 north, range 27 east; subdivision of township 1 north, range 28 east. Base line through range 27 east.....	do.....	1	1	---	2
92	Sept. 12, 1860	J. A. Burnett.....	Jan. 29, 1861	Exterior of townships 1 and 2 north, range 31 east. Subdivisions of townships 1 and 2 north, range 31 east. Guide meridian from base line to south boundary of township 13 south, between ranges 17 and 18 east, and 2d standard parallel through ranges 15, 16, and 17 east, of Willamette meridian.	do.....	1	1	---	2
93	Sept. 13, 1860	Daniel Murphy.....	Nov. 15, 1860	1st standard parallel south, through ranges 11, 12, 13, 14, 15, 16, and 17 east, of Willamette meridian. Exterior of township 4 north, ranges 29 and 30 east. Subdivisions of townships 1 and 3 north, range 30 east.	do.....	1	1	---	2
94	Sept. 16, 1860	Lafayette Cartee.....	Nov. 15, 1860	Exterior of township 4 south, ranges 11, 12, and 13 east; exterior of township 5 south, ranges 10, 11, 12, and 13 east.	do.....	1	1	---	2
95	Sept. 19, 1860	Wm. B. Campbell.....	Jan. 29, 1861	Subdivisions of township 4 south, ranges 12 and 13 east; subdivisions of township 5 south, range 12 east.	do.....	1	1	---	2
96	Oct. 14, 1860	Lafayette Cartee.....	Dec. 12, 1860	Subdivisions of township 4 south, ranges 12 and 13 east; subdivisions of township 5 south, range 12 east.	do.....	3	3	3	9

* Addenda to former survey.

B. J. PENGRA, Surveyor General.

D.

Statement showing the condition of townships in which the claim surveys have been closed and maps transmitted.

Townships in which the private surveys have been completed, plats closed and transmitted since August 30, 1860.	No. of surveyed claims.	No. of acres embraced in claims.	Amount remaining subject to legal subdivision claims, pre-emptions, &c.
Township 2 south, range 1 west....	7	2,329.85	20,850.46
Township 14 south, range 1 west....	12	4,873.73	18,196.43
Township 16 south, range 1 west....	7	1,736.71	2,918.34
Township 17 south, range 1 west....	13	2,885.00	4,970.25
Township 3 south, range 2 west....	32	12,142.22	10,507.26
Township 4 south, range 2 west....	62	20,669.89	2,923.25
Township 8 south, range 2 west....	30	12,349.22	10,882.76
Township 17 south, range 2 west....	46	9,686.27	10,494.52
Township 18 south, range 2 west....	49	14,580.76	8,459.62
Township 20 south, range 2 west....	9	1,498.39	6,061.28
Township 21 south, range 2 west....	8	1,429.09	12,696.88
Township 4 south, range 3 west....	49	17,615.27	4,377.84
Township 7 south, range 3 west....	47	15,640.54	6,313.83
Township 18 south, range 3 west....	29	9,161.93	13,853.86
Township 19 south, range 3 west....	44	12,835.31	10,292.39
Township 22 south, range 3 west....	7	1,531.43	8,176.12
Township 26 south, range 3 west....	13	2,362.82	9,761.58
Township 29 south, range 3 west....	1	269.51	7,344.93
Township 30 south, range 3 west....	3	697.05	5,988.09
Township 14 south, range 4 west....	14	4,534.16	18,249.66
Township 26 south, range 4 west....	18	5,568.63	17,014.08
Township 4 south, range 5 west....	19	6,410.82	16,611.04
Township 5 south, range 5 west....	38	14,783.20	8,105.16
Township 14 south, range 5 west....	32	11,357.21	11,238.01
Township 25 south, range 5 west....	23	6,906.67	11,106.27
Township 28 south, range 5 west....	7	1,722.46	14,201.62
Township 4 south, range 6 west....	5	1,105.86	5,943.86
Township 5 south, range 6 west....	36	10,535.94	12,447.43
Township 9 south, range 6 west....	23	8,428.67	14,730.33
Township 25 south, range 6 west....	27	7,762.81	13,295.70
Township 26 south, range 6 west....	30	9,660.90	12,690.08
Township 30 south, range 6 west....	16	3,876.64	19,218.95
Township 5 south, range 7 west....	16	3,827.92	12,807.44
Township 17 south, range 7 west....	1	320.38	17,119.63
Township 24 south, range 7 west....	1	161.00	9,788.15
Township 26 south, range 7 west....	12	2,428.07	9,604.46
Township 30 south, range 12 west....	6	1,766.25	7,124.91
Township 31 south, range 12 west....	2	477.71	3,061.59
Township 28 south, range 15 west....	1	275.65	934.17
Township 2 north, range 1 east....	3	379.28	661.77

B. J. PENGRA,
Surveyor General.

E.

Statement of the appropriation and liabilities incurred for public surveys in Oregon for the year ending June 30, 1861.

E. E. Haft, under contract No. 91.....	\$3,471 30
Do. do. 91.....	72 60
J. A. Burnett, under contract No. 92	1,819 46
Daniel Murphy, under contract No. 93.....	1,920 00
Lafayette Cartee, under contract No. 94.....	920 87
William B. Campbell, under contract No. 95.....	1,600 12
Do. do. 95.....	73 15
Lafayette Cartee, under contract No. 96.....	806 64
Do. do. 96.....	2,139 22
John Costello, examination of contract No. 93.....	300 50
	13,123 86
Amount unexpended, or for which there is no account in this office, to balance	1,876 14
	15,000 00

B. J. PENGRA,
Surveyor General.

F.

Liabilities incurred under appropriation for salary of surveyor general, and clerks in his office, and under sums apportioned, &c., for the year ending June 30, 1861.

Third quarter of 1860	\$3,088 04
Fourth quarter of 1860	2,663 85
First quarter of 1861	2,801 66
Second quarter of 1861	2,271 70
Total	10,825 29

G.

Liabilities incurred under appropriation for pay of fuel, rent, &c., for the year ending June 30, 1861.

Appropriation	\$2,000 00
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REMARKS.

There are no vouchers on file in this office exhibiting this disbursement.
The vouchers were taken as private papers belonging to the late surveyor general.

B. J. PENGRA,
Surveyor General.

H.

Estimate of surveying and office expenses for the fiscal year ending June 30, 1863.

For compensation of surveyor general and regular clerks in this office	\$7,500 00
For transcribing the field-notes, to be transmitted to the General Land Office, two clerks	3,000 00
For transcribing field-notes of claims, to be transmitted to General Land Office, two clerks	3,000 00
For compensation of draughtsman and examiner of claim surveys.	1,500 00
For office rent and incidental expenses, &c., including messenger ..	3,000 00
For surveying 150 miles of guide meridian, at \$20 per mile	3,000 00
For surveying 72 miles of base line to eastern boundary of State, at \$20 per mile	1,440 00
For surveying 90 miles of standard parallel lines, at \$20 per mile ..	1,800 00
For surveying 3,000 miles of exterior township and subdivision lines, at \$12 per mile	36,000 00

B. J. PENGRA,
Surveyor General.

No. 13—C.

UNITED STATES SURVEYOR GENERAL'S OFFICE,
San Francisco, California, September 15, 1861.

SIR: I herewith, in compliance with instructions, submit, in triplicate, my annual report, accompanied by one map of the surveys executed in California, to June 30, 1861.

The statements, in triplicate, hereto annexed, are also submitted. They are as follows:

A. Statement showing the character, locality, and present condition of the field-work of public surveys executed under contracts entered into during fiscal year 1860-'61.

B. Statement of the number of miles surveyed in the State of California, and the number of acres in subdivided townships, to June 30, 1861.

C. Statement showing the number and present condition of the survey of private land claims, under instructions, during the fiscal year 1857-'58, that were unsettled at the date of last report.

D. Statement showing the number and present condition of the survey of private land claims, under instructions, during the fiscal year 1858-'59, that were unsettled at the date of last report.

E. Statement showing the number and present condition of the survey of private land claims, under instructions, during the fiscal year 1859-'60, that were unsettled at the date of last report.

F. Statement showing the number and present condition of the surveys of private land claims, under instructions, during the fiscal year 1860-'61.

G. Statement of appropriation on account of salaries of clerks, &c., and expenditures by the surveyor general, for the fiscal year ending June 30, 1861.

H. Statement of appropriation on account of rent of office, &c., and expenditures by the surveyor general, for the fiscal year ending June 30, 1861.

I. Statement of field-notes, public surveys, forwarded to Washington from this office during year ending June 30, 1861.

J. Statement of descriptive notes, decrees of court, &c., of private land claims, to accompany plats for patent sent to Washington from this office, during year ending June 30, 1861.

K. Statement of work in draughting department of this office during year ending June 30, 1861.

L. Statement of examination and reports made to department for patent of all subdivisional surveys, heretofore pre-empted or selected, under the acts of Congress relating thereto.

M. Statement of office-work under act of June 20, 1860, "to define and regulate the jurisdiction of the district courts of the United States in California in regard to the survey and location of confirmed private land claims," to 30th June, 1861.

N. Statement of surveys ordered into United States district courts under act of June 20, 1861.

O. Estimate of surveying expenses for fiscal year 1861-'62.

P. Statement of townships that, from the wants of the settlers, require subdividing during the next fiscal year.

In addition to the work connected with the foregoing statements, the employés of this office have been engaged in the following duties:

1st. Copying the correspondence of this office.

2d. Making out contracts for public surveys in quadruplicate.

3d. Making out instructions for surveys of private land claims in duplicate.

4th. Examination of field-notes of public surveys returned by deputies.

5th. Examination of field-notes and tabling of surveys of private land claims returned by deputies.

6th. Examination of location of surveys—private land claims.

7th. Making sketches to accompany contracts of public surveys and private land claims.

8th. Keeping in order the records of plats and field-notes of public and private surveys.

9th. Keeping in order the Spanish and Mexican archives and records of the late board of land commissioners.

10th. Making out accounts and bonds of deputy surveyors for surveys executed.

11th. Making out quarterly accounts and certificates to vouchers.

12th. Posting the books of accounts and records pertaining to the business of the office.

13th. Exhibiting the archives, land commission papers, records, and plats to parties interested, and making the necessary explanations.

14th. Making out in quadruplicate the annual synopsis and report with accompanying map and statements.

The surveys of the past year comprised—

1st. All private land claims, the final decrees of which had been filed in this office.

2d. Resurveys of private land claims ordered by the United States district courts.

3d. Subdivisional work bordering on private land claims in San Luis Obispo and Santa Barbara counties.

4th. Subdivisional work of three fractional townships in the Humboldt district.

5th. The subdivision of townships bordering on or near the Nome Cult Indian reservation.

SWAMP AND OVERFLOWED LANDS.

Under this head I have to report that after the receipt of your instructions dated December 10 and 13, 1859, this office prepared to carry out the same and, after arranging the necessary forms, notified the surveyor general of the State that this department was ready to proceed with their duties under said instructions. Surveyor General Higley replied that he would await the result of the action of the legislature upon some bills then pending before them before taking any steps in the matter. Copies of this correspondence were forwarded to the department on the 4th May, 1860. On the 11th June, 1861, I again notified Surveyor General Higley that I was prepared to proceed with the duties embraced in my instructions. Mr. Higley, in answer, states that, as soon as convenient, he will prepare and forward to this office, accompanied by the necessary affidavits, a list of swamp lands claimed by the State, where the line of segregation has not been established, and also of lands surveyed by the United States as dry, but which are claimed by the State as swamp or overflowed. Upon the receipt of this list I will proceed under my instructions. It is here proper to state that the legislature of California passed an act which was approved May 13, 1861, by which they assume either that no segregation of this class of lands has yet been made, or that the same was improperly done. Under this act the county surveyors are required to examine the lines of segregation, and if not found correct to return the same according to affidavits filed with them as to the nature of the land. Each county surveyor is further to return a map of his county to the surveyor general, who will make a general map, embracing the swamp lands claimed by the State, and file the same with the governor, who will forward it to the department at Washington for their action.

ESTIMATES FOR 1861-'62.

In explanation of the request for an appropriation of \$150,000 for surveys, I would state that a large number of private land claims will be finally settled during this year; and there should be a sufficient appropriation, say \$50,000, to meet promptly every demand on the office of this character. The large interests, public as well as private, depending on the final location and settlement of these claims, require that there should be as little delay in the returns of surveys as possible. I would, therefore, suggest that the amount of \$50,000 be recommended, as an appropriation for the survey of private land claims, and the expenses incident thereto; I would recommend a further sum of \$100,000, for public surveys during the coming year. An argument has been urged, that because California has so much unsold land heretofore subdivided, no new subdivision work is required to meet the wants of purchasers. In explanation I would say, that in the early days of our State large appropriations were made for surveys; that private land claims covered the most valuable portion thereof; and it was impossible, without creating the utmost confusion between settlers and grant-holders, to fix the line of segregation between public and private lands. This was especially the case in the country bordering on the sea-coast, and particularly from San José north. Until the year 1857-'58 these reasons held good; and the deputies, in looking for contracts, naturally sought for country free from the embarrassments of private grants. The surveyors general, presuming that the large annual appropriations would continue, and that it was necessary to complete the surveys as rapidly as possible, gave large contracts for subdivision work in the southern and southeastern portions of the State; these localities, whatever their intrinsic value may be, are at present, so far as sales are concerned, comparatively worthless, and will so continue for many years, owing to their distance from the large towns, or cities, or the mining regions. The subdivisional surveys, executed under the contracts alluded to, has worked great injustice to the State, as well as this office. The handsome appropriations of former years having been expended in an uninhabited desert, the only parties benefited were the contractors, who, from the level nature of the country, realized large sums of money for the survey of barren wastes, at the expense of the people, leaving the surveys of more difficult and intricate districts, at the same rate of pay, to future administrations. The department has, therefore, very naturally, shown an indisposition to ask for appropriations, which are positively needed, because they see so much land unsold, the surveying of which has cost the government such large sums. It is hoped that this explanation will relieve this office from any feeling which may exist to its discredit; and the responsibility of the early surveys in the vast sahara, lying in the southern and southeastern part of the State, be placed where it properly belongs. Thus, although California has much subdivided land to offer for sale, and for which the government could find no purchaser, yet there are thousands of localities in the vicinity of cities, towns, and other settlements, which could be disposed of at once if subdivided; and as the private grants are so far settled as to permit the surveyor, with absolute certainty, to proceed with his surveys, I would recommend that this class of lands be at once subdivided, and placed in the market. In this connexion I would refer to statement P, showing townships bordering on private grants finally settled, which should be subdivided. I would also represent that the country between Sacramento valley on the east, and the Pacific ocean on the west, is a well watered, well timbered country; and although somewhat mountainous, yet contains many valleys eagerly sought for by the settlers as homesteads. Referring to the map of the State, I would state that the third standard north and west of the Mount Diablo meridian can be extended to the Pacific ocean. The second standard north can also be ex-

tended in the same direction. To the west of Clear lake there are two townships in Big valley, already settled, that should be subdivided. Also Anderson valley, being townships Nos. 15, 16, and 17 north, ranges 13, 14, and 15 west, Mount Diablo meridian. Between Anderson valley and Ukiah City, in township 15 north, range 12 west, a fine body of land is situated. On the Pacific coast there is a strip of open agricultural country, thickly settled, from six to eight miles in width, extending from townships 13 to 18 north. The country back of this for some twelve miles is covered with valuable redwood and pine timber. The townships on the banks of the rivers Noyo, Big, Albion, Novarro, and Garcia, are all of the same character, and should be at once subdivided. The timber is rapidly disappearing, the country being dotted with saw-mills, many of which cut 100,000 feet per day.

There is also another portion of the State which has received very little attention of late, but which, I am informed, is a rich agricultural and timber district, and already thickly settled. I allude to the northeastern portion of the State, depending on the Sacramento river for its outlet. The Mount Diablo meridian can be extended to the northern boundary of township 38 north. The country from the north boundary of township 32 north, having a width of six miles on each side, bordering on the meridian, is a level bench of valuable pine and cedar timber land, continuing about the same width to the northern boundary of township 34; and in passing a spur of a high mountain on the east it widens to the east for the distance of thirty miles, and is a continuation of low hills and valleys, covered in part with pine and cedar, with here and there only an isolated mountain. The country to the east, as far as the boundary of the State, is a continuation of valleys of first rate agricultural land, containing from one to fifteen thousand acres. The whole of this range of country abounds in never-failing streams of water. The section mentioned includes Fort Crook and the Pitt River valleys. To the southeast the Sierra, American, and other valleys of the same character and description, but much larger in extent, are found; the former containing some ten townships of first rate agricultural and timber land. These valleys would have been settled long since, but for the proximity of roving tribes of Indians. A large majority of these, having within the last few years been removed from this region, the whites have flocked in, and large numbers are settling these lands entirely on account of the advantages offered for agriculture and grazing, there being no indications of minerals in that section. I would therefore urge the immediate subdivision of the portions of this State herein indicated, assuring the department that there will be no complaint as to lack of sales of any portion thereof.

MINERAL LANDS.

I would call the attention of the department to the propriety of extending the township lines over the whole extent of the mineral regions, for the purpose of obtaining complete information as to that portion of the State, as a basis for any future legislation to be recommended in relation thereto. It is well known, from the data already obtained, that a large portion of the so-called "mineral lands" is in fact the best portion of our State for agricultural purposes, and it is also certain that both agricultural and mining could be carried on at the same time without materially interfering with each other. The legislature of the State has, with a desire to foster agriculture in that region, protected the settler to the extent of one hundred and sixty acres of land for agricultural purposes; at the same time providing that the miner shall be permitted to extract the precious metals, if found therein, he paying for all damages to improvements or growing crops. The two interests are found occasionally to clash; but it is the exception rather than the rule. The agriculturist should have a certain title to his land, and, as the placer or surface diggings are becoming finally exhausted,

it becomes a question whether or not, in view of the large capital now required in mining operations, the miner should also have a permanent title for the investment of his money. The *quasi* permission to extract the precious metals, heretofore given to all seekers, was, in my opinion, a just and wise license to the adventurous pioneer, willing to expend his energy and industry on the chance of success; but, as before mentioned, it is capital that now controls almost every species of mining, and I think that the time has arrived when, without injustice to the miner, the government can subdivide the land and obtain a fair compensation therefor. Numerous discoveries of minerals are almost daily made, showing that California is doubtless the richest mineral country in the world. The subdivisional lines have heretofore stopped whenever the precious metals had been discovered; but, before the discoveries were made, the lines in some instances had already been extended too far. The late discoveries of silver, known as "Coso," are an example. They are situated in the subdivided township 18 south, range 40 east, Mount Diablo meridian. The Esmeralda silver mines are in the northeast portion of township 3 north, range 28 east. The rich discoveries of quicksilver in the Berreyesa valley are in township 10 north, ranges 4 to 7 east. The Mount Diablo coal mines are in township 2 north, ranges 1 and 2 east. The Corral Hollow coal mines are in township 3 south, ranges 3 and 4 east. Rich copper mines have been struck in townships 2 and 3 north, ranges 12 and 13 east, all of Mount Diablo meridian. Tin mines have been discovered in the Temascal range of mountains, in townships 2, 3, 4, and 5 south, ranges 4, 5, and 6 west, San Bernardino meridian. In view, therefore, of the numerous discoveries being made, and the capital required to work the same, I would suggest that some action be taken, that, being just and equitable to the miner, would at the same time give a permanency to that branch of business in California and remunerate the government for the expense of surveys. Of one thing the department may be assured, there will be no appropriation asked by the surveyor general which is not, in his opinion, positively necessary for the public good, or any lands subdivided which are not of a character to justify the survey, and demand an early sale.

SALARIES, ETC.

With reference to the amount asked for salaries of clerks, draughtsmen, and other employés of the office under my charge, I would state that I have given this matter a most careful consideration, and, after an examination of the instructions from time to time forwarded by the department for my guidance, I find that, in order to carry out the same, the duties of the office, instead of being diminished, will in future be much increased.

As a part thereof I would mention :

1st. The reports required on all sales, locations, &c., made at the different land offices in this State.

2d. The duties devolving on this office, under the instructions dated December 10 and 13, 1859, and referring to swamp land selections by the State of California.

3d. The additional labor required from this office, under the instructions of October 27, 1860, relating to the survey of private land claims; it being now incumbent on me to furnish the deputy with field-notes and tracings of lines of adjoining claims previously surveyed, and have the plat protracted from the field-notes; the latter a duty heretofore required from the deputy.

4th. The numerous duties arising under the instructions referring to the act of Congress of June 14, 1860, placing me under the direction of the district judges in these matters, and largely increasing this class of work. These duties imperatively call for an increased force, especially when we take into consideration the number of surveys of private land claims to which no objection has been made, after compliance with the advertising regulations; the descriptive notes and decrees of which should be forwarded as soon as possible to the de-

partment for patent. The department will observe that these duties are in addition to the regular business of the office connected with the yearly appropriations, and the daily increasing demands of the public on the time of the employes searching and exhibiting archives, plats, and other records of this office. I find your department has already had occasion to ask my predecessor explanations of the seeming neglect of instructions. In your letter to him, dated October 24, 1860, you stated that but one map of surveys accompanying the annual report had been received, whereas the instructions required "that the documents should be in triplicate." Upon an examination, I find that two months' constant labor of one draughtsman was employed on the copy sent to Washington, and the copy retained for the office, on which to base the report of this year, consumed two months more. Thus, supposing the map to be made in quadruplicate, one employe's time for eight months would have been expended alone on this piece of work.

My predecessor has handed me a communication from the department, dated May 11, 1861, requesting the reasons for non-compliance with previous instructions of January 24, 1860. Mr. Mandeville stated that it was impossible to fulfil all the requirements of the department with the numerical force allotted to him; that he frequently so stated in his communications to the department, and advised that the public interests must suffer; but, under the circumstances, he could see no method of preventing it.

It must be apparent to the department that the work can only keep pace with the force allowed; and it is a matter of great delicacy with the surveyor general to determine what class of work shall be completed or neglected. The duties of this office, properly carried on, absolutely require, in addition to the chief clerk—

One keeper of archives, and assistant;

One draughtsman, and three assistants;

One clerk in charge of records public work;

One clerk in charge of land commission records, and three general clerks.

Without this force, it will be impossible to perform all the requirements of the public, the United States courts, and the department.

I beg you to believe that I am fully impressed with the present urgent necessity for the strictest economy in all branches of the government; but, at the same time, I have no wish to deserve the censure of the department, by not fully informing them of the requirements made on this office, the force available to comply therewith, and the necessary remedy.

It becomes my duty, therefore, to request that the department will increase my force, by the addition of two employes, at \$1,500 per annum, thus enabling me to carry out the directions of the courts, under the act of June last, and the instructions of the department with regard to swamp lands, which, together with other duties, have heretofore in some measure been unwillingly neglected.

The appropriation asked for "Rent of office," &c., is based upon the following estimates:

Rent of office	\$2,100 00
Wages of messenger	900 00
Postage and box rent	50 00
Stationery, instruments, &c.	1,200 00
Coal, &c.	400 00
Backing map and binding field-notes	250 00
Miscellaneous	100 00
	5,000 00

Very respectfully, your obedient servant,

United States Surveyor General for California.

A.

Statement showing the character, locality, and present condition of the field-work of public surveys executed under contracts entered into during the fiscal year 1860-'61.

Contractor.	Date of contract.	Location.	Limit of contract.	Amount returned.	Remarks.
James E. Torrell.....	Aug. 25, 1860	Subdivisions bordering on ranchos, north and west, San Bernardino meridian.....	\$5,000 00	\$2,227 63	Closed.
Brice M. Henry.....	Dec. 31, 1860	Mount Diablo meridian, south and east.....	1,300 00	1,149 97	Closed.
John S. Murray.....	Sept. 6, 1860	Humboldt meridian, south and west.....	2,000 00	1,700 29	Closed.
A. J. Hatch.....	Jan. 16, 1861	Mount Diablo meridian, north and west.....	800 00	780 87	Closed.
W. J. Lewis.....	Oct. 16, 1860	Mount Diablo meridian, north and east.....	1,000 00	-----	Withdrawn.
O. P. Sutton.....	April 16, 1861	Mount Diablo meridian, north and east.....	-----	-----	Cancelled.
G. B. Thompson.....	April 8, 1861	Mount Diablo meridian, north and east.....	-----	-----	Cancelled.

B.

Statement of the number of miles surveyed in the State of California, and the number of acres in subdivided townships, to June 30, 1861.

MILES.

	Base.	Meridian.	Standard.	Traverse.	Township.	Section.
	<i>Miles. c. l.</i>	<i>Miles. c. l.</i>	<i>Miles. c. l.</i>	<i>Miles. c. l.</i>	<i>Miles. c. l.</i>	<i>Miles. c. l.</i>
Per last report.....	322 54 71	685 72 79	3,918 07 37	2,507 51 34	19,663 25 63	71,642 62 22
Returned this year.....	.....	8 45 70	.....	39 23 73	51 67 82	642 24 34
Total.....	322 54 71	694 39 49	3,918 07 37	2,546 75 07	19,715 13 45	72,285 06 56

ACRES.

Surveyed to date of last report.....	18,321,512.83
Surveyed, 1860-'61	212,475.53
Total to June 30, 1861.....	18,533,988.36

C.

Statement showing the number and present condition of the surveys of private land claims, under instructions issued from this office during the fiscal year 1857-58, that were unsettled at date of last report.

No. survey.	Name of rancho.	To whom confirmed.	Date of instructions.	By whom surveyed.	Liabilities.—Returned accounts.		Area.	When sent to Washington.	Remarks.
1	Las Animas	Widow and heirs of J. M. Sanchez.	Apr. 13, 1858	J. Wallace.....	Mo. ch. Rs.	\$492 80	94,066.94	Apr. 10, 1861	Ordered in district court, July 19, 1859.
2	San Ramon.	J. M. Amador	Nov. 17, 1857	J. La Croze	36 14 93	990 59	16,516.95	Dec. 20, 1860	In district court, January 10, 1861.
3	do	Leo Norris	do	do	94 51 16	159 57	4,450.94	Dec. 31, 1860	
4	Guadalupe, returned to	D. Olvera et al.	Jan. 13, 1858	B. M. Henry and J. E. Terrel.	10 51 03	496 03	32,408.03	Jan. 31, 1861	
5	Cañada de los Ocos y Peche y Islay.	J. Wilson	Apr. 17, 1858	B. M. Henry.....	36 32 10	679 73	82,430.76	Dec. 20, 1860	
6	San Simeon	J. M. Gomez	Apr. 27, 1858	do	45 56 15	900 63	4,468.81	do	In district court, October 16, 1860.
7	El Valle de San José	J. & A. Bernal....	May 15, 1858	J. La Croze	13 30 00	694 40	31,572.26	Apr. 10, 1861	In district court, December 3, 1860.
8	Laguna de los Palos Colorados.	J. Moraga	do	do	41 50 13	321 86	13,318.13	do	
	Total .....	.....	.....	.....	21 36 72	3,185 61			

D.

Statement showing the number and present condition of the surveys of private land claims, under instructions issued from this office during the fiscal year 1858-'59, that were unsettled at date of last report.

No. survey.	Name of rancho.	To whom confirmed.	Date of instructions.	By whom surveyed.	Liabilities.—Returned accounts.	Area.	When sent to Washington.	Remarks.
9	La Boisa Chica.....	Joaquin Ruiz.....	Sept. 1, 1858	H. Hancock.....	Mr. ch. Dr. 31 07 04	Acres. 2,107.46	Jan. 20, 1861	In district court, February 26, 1861.
10	Las Alamitos.....	Abel Stearns.....	do.....	do.....	474 28	11,767.75	do.....	Rejected.
11	Paseo de Bartolo.....	B. Guirado et al.....	do.....	do.....	.....	.....	.....	Rejected.
12	Sausal Redondo and Guasapita.....	N. Y. Abilo.....	do.....	do.....	.....	.....	.....	.....
13	Las Boisas, (t).....	R. Yerba et al.....	do.....	do.....	39 73 48	34,486.13	Jan. 20, 1861	In district court, February 26, 1861.
14	Los Feliz.....	M. Y. Berdugo.....	do.....	do.....	.....	464.72	Jan. 20, 1861	Rejected.
15	Los Nogales.....	M. De J. Garcia.....	do.....	do.....	4 45 50	.....	Jan. 20, 1861	In district court, December 21, 1859.
16	Boisa de Chiminuel, re-issued to.....	L. T. Burton.....	Oct. 18, 1858	B. M. Henry and J. E. Terrell.....	98 78 84	14,335.22	Jan. 31, 1860	.....
17	Arroyo del Rodon.....	J. Hames et al.....	Oct. 7, 1858	J. Wallace.....	7 59 53	1,473.07	Apr. 10, 1861	.....
18	Rincon de las Salinas.....	R. Estrada.....	Mar. 26, 1859	J. E. Terrell.....	15 46 38	2,920.08	Jan. 20, 1861	.....
	Total.....	.....	.....	.....	9,260 12	.....	.....	.....

E.

Statement showing the number and present condition of the surveys of private land claims, under instructions issued from this office during the fiscal year 1859-'60, that were unsettled at date of last report.

No. survey.	Name of rancho.	To whom confirmed.	Date of instructions.	By whom surveyed.	Liabilities.—Returned accounts.	Area.	When sent to Washington.	Remarks.
19	Nipoma, released to	W. J. Dana	July 25, 1859	B. M. Henry, J. E. Terrell.	<i>Mts. chs. lks.</i> 31 47 11	32,728.63	Jan. 31, 1861	
20	Corral de Piedra, released to.	J. M. Villaricencio	do	do	28 9 10	30,911.39	Apr. 10, 1861	
21	Potrero San Luis Obispo, released to.	M. C. Beronda	do	do	9 66 94	2,505.33	do	
22	Santa Manuela, released to.	Francisco Branch	do	do	28 42 64	16,954.83	May 14, 1861	
23	San Juan Bautista	A. Navarez	Jan. 7, 1860	C. T. Healey	18 0 5	8,877.60	Apr. 10, 1861	In district court October 1, 1860.
24	Mission Santa Barbara	J. S. Allemady	Feb. 2, 1860	J. E. Terrell	5 19 81	37.43	June 1, 1861	
25	Mission Santa Ynez	do	do	do	5 1 42	17.35	do	
26	Mission San Buenaventura	do	Feb. 1, 1860	do	9 30 76	36.97	do	
27	Mission La Purisima	do	do	do	19 45 4	.....	.....do	Not returned; withdrawn.
28	Cañada Verde y Arroyo de la Purisima.	J. A. Alviso	May 14, 1860	E. C. Mathewson .....	.....	8,905.58	Dec. 30, 1860	In district court October 2, 1860, and survey approved by the court.
29	Los Palencas, (resurvey) ..	A. Castro & al.	Feb. 3, 1860	J. E. Terrell	16 47 78	8,917.52	Jan. 19, 1861	
	Total .....	.....	.....	.....	.....	.....	.....	
					2,380 61			

F.—Statement showing the number and present condition of the surveys of private land claims, under instructions issued from this office during the fiscal year 1860-'61.

No. survey.	Name of rancho.	To whom confirmed.	Date of instructions.	By whom surveyed.	Liabilities.—Returned accounts.		Area.	When sent to Washington.	Remarks.
					Mt. chs. Ea.				
30	San Gregorio	M. C. V. de Rodriguez.....	Aug. 1, 1860	R. O. Matthews.....	52 57 19	\$340 72	Acres. 13,314.15	Dec. 10, 1860	Plat and field notes forwarded to Washington, Dec. 10, 1860. do.
31	San Gregorio	S. Quatro	do.	do.	12 41 6	190 47	4,439.31	do.	do.
32	Buano	M. Rodriguez.....	Aug. 16, 1860	do.	12 67 0	182 56	3,025.65	Dec. 9, 1860	In district court, Nov. 22, 1860.
33	Santa Gertrudes	Samuel Carpenter.....	Aug. 1, 1860	J. E. Terrell	59 16 93	438 17	26,623.36	April 10, 1861	Withdrawn.
34	Las Posas	J. de la Guerra y Noriega.....	do.	do.	17 10 16	256 91	8,675.76	Jan. 9, 1861	do.
35	Cañada de Corral	F. D. Ortega	do.	do.	13 6 62	142 19	4,459.63	do.	do.
36	El Rincon.....	F. Ancianes	do.	do.	9 38 34	730 76	3,281.70	do.	do.
37	La Guerra and Las Positas	M. C. de Jones.....	do.	do.	48 57 39	429 67	92,341.35	April 10, 1861	do.
38	Quil	J. de la Guerra y Noriega.....	do.	do.	28 52 63	194 25	30,533.85	do.	do.
39	Guadalupe	J. Torba	do.	do.	12 76 2	14 12	4,683.91	May 14, 1861	do.
40	San Miguel	R. Olivas et al.	do.	do.	44 77 68	674 57	28,539.30	April 10, 1861	do.
41	Lot in Mission San Buena-ventura.	F. Pico	do.	do.	50 48 95	309 18	13,968.91	Jan. 9, 1861	do.
42	Nuestra Señora del Refugio.	N. M. Ortega et al.	do.	do.	16 69 30	252 99	8,900.75	May 14, 1861	do.
43	Santa Clara del Norte	J. Sanchez	do.	do.	31 74 80	329 63	14,927.62	Dec. 20, 1860	do.
44	Pepusquez	A. M. Cota et al.	do.	do.	32 9 94	461 73	35,465.90	Dec. 20, 1860	do.
45	Mission La Purisima	J. B. Mayo	do.	do.	36 0 24	540 10	48,803.38	do.	do.
46	Sihoque	J. B. Hine et al.	do.	do.	23 12 37	333 27	18,212.48	do.	do.
47	Los Alamos	J. de la Guerra y Carillo.....	do.	do.	23 42 62	352 99	13,300.54	Dec. 31, 1860	do.
48	La Laguna	O. Guetierrez	do.	do.	96 65 63	402 30	15,535.33	Jan. 9, 1861	do.
49	Corral de Quati	M. A. de la Guerra y Lalallade.	do.	do.	15 16 73	228 14	8,677.04	April 10, 1861	do.
50	Dos Pueblos	N. A. Den	do.	do.	33 2 72	485 50	17,773.33	do.	do.
51	Cañada de San Miguelito, &c.	J. F. de Rodriguez	do.	do.	16 53 38	243 23	9,996.29	May 14, 1861	do.
52	Santa Paula y Santicoy	J. P. Davidson.....	do.	do.	16 18 77	245 53	6,635.38	Dec. 20, 1860	do.
53	Calteques	G. Ruiz	do.	do.	29 55 68	445 44	17,792.70	April 10, 1861	do.
54	Cañada de Salapuedas	John Keyes	do.	do.	11 0 0	165 00	4,676.72	Dec. 20, 1860	do.
55	Cajay	F. Pico	do.	do.	49 59 80	639 84	34,992.04	Jan. 9, 1861	do.
56	Ocmalla	A. Olvera	do.	do.	17 40 88	262 67	do.	do.	do.
57	La Zaca	M. A. de la Guerra y Laltallade.	do.	do.	4 35 16	914 81	4,460.03	Dec. 10, 1860	do.
58	Punta de Concepcion	A. Comillo	do.	do.	13 69 40	228 01	8,011.53	do.	do.
59	El Sur, connecting lines with public surveys.	J. B. R. Cooper	July 2, 1860	G. H. Thompson.....	do.	do.	do.	do.	do.
60	Rincon de San Francisco.	T. & S. Robles	Sept. 12, 1860	R. O. Matthews.....	do.	do.	do.	do.	do.
61	San Antonio	A. Bernal et al.	Sept. 12, 1860	C. C. Tracy	do.	do.	do.	do.	do.
62	San Andres.....	G. Castro et al.	do.	do.	do.	do.	do.	do.	do.

Withdrawn.
In district court, Jan. 18, 1861.
In district court, Dec. 31, 1860.

63	Island of Santa Rosa	M. O. de Jones <i>et al.</i>	Aug. 1, 1860	J. E. Terrell	30 25 98	304 87	13,357.38	Nov. 19, 1860	Withdrawn. In district court, Dec. 15, 1860.
64	La Boca del Cañada del Finole	M. M. Valencia	Sept. 24, 1860	R. W. Norris	37 68 28	417 80	17,734.58	Apr. 10, 1861	In district court June 16, 1861.
65	Arroyo de las Nueces y Bolbones	Rosa Pacheco <i>et al.</i>	Oct. 11, 1860	J. T. Stratton	94 13 1	353 44	8,900.26	Dec. 10, 1860	Withdrawn. In district court Jan. 18, 1861.
66	Cañada de los Bagneros	R. Livermore <i>et al.</i>	Oct. 12, 1860	W. J. Lewis	94 13 1	351 93	10,610.35	do.	In district court Dec. 17, 1860.
67	Melanes	T. D. Stevenson <i>et al.</i>	do.	do.	49 61 60	746 53	17,580.01	Jan. 9, 1861	Plat. and field-notes forwarded to Washington Apr. 10, 1861.
68	Puerto de los Carrizos	T. Pacheco and A. Alvino	Oct. 18, 1860	J. R. Onway	97 51 0	414 56	26,648.49	Jan. 31, 1861	In district court Jan. 10, 1861.
69	Rancho de German	L. Anellinas <i>et al.</i>	Aug. 1, 1860	J. E. Terrell	91 9 73	315 51	8,985.67	Dec. 31, 1860	In district court Dec. 17, 1860.
70	La Pusta de la Laguna	José de Pacheco	Oct. 21, 1860	J. La Grusse	16 7 64	241 43	2,360.48	May 20, 1861	Plat. and field-notes forwarded to Washington Apr. 10, 1861.
71	Santa Rita	Charles Fossett	Nov. 14, 1860	J. O. Hayes	18 63 67	281 93	2,838.89	Jan. 30, 1861	In district court Jan. 8, 1861.
72	Los Capitanillos	Isaac J. Sparks	Oct. 1, 1860	J. E. Terrell	8 46 38	198 69	1,939.03	Apr. 18, 1861	In district court Jan. 10, 1861.
73	Pluma	R. F. Stockton	Dec. 11, 1860	W. J. Lewis	60 4 53	900 85	46,923.84	Apr. 10, 1861	In district court Jan. 8, 1861.
74	Puerto de Sta. Clara	F. Bohraues	do.	O. O. Tracy	19 50 44	294 46	22,906.97	Feb. 20, 1860	Withdrawn. In district court Dec. 6, 1859; survey approved by court.
75	Sajon de Sta. Rita	A. M. Pico and H. M. Naglee	do.	J. T. Stratton	11 59 58	174 48	13,315.93	Feb. 28, 1861	In district court March 7, 1861.
76	El Pescadero	Peter Lassen	Dec. 1, 1860	A. W. Von Schmidt	20 16 4	303 8	26,637.00	Apr. 10, 1861	In district court Feb. 1, 1860; survey approved by court.
77	Boquejo	J. F. Armijo <i>et al.</i>	Jan. 15, 1861	O. O. Tracy	50 35 33	756 63	39,294.81	June 1, 1861	Withdrawn.
78	Toleras	J. P. Dye	Jan. 31, 1861	do.	17 43 81	360 31	8,645.49	June 1, 1861	Withdrawn.
79	Rio de los Borrendos	P. Estrada	Feb. 15, 1861	J. E. Terrell	1 13 7	17 45	28 41	do.	In district court May 18, 1861.
80	Anuncion	Miguel Abila	do.	do.	4 51 83	69 74	358.50	do.	In district court May 15, 1861.
81	Moro y Cayucos	Heirs of P. J. Palomeres	Aug. 1, 1860	W. J. Lewis	11 50 14	174 40	4,438.36	do.	Withdrawn.
82	Lot near Mission Dolores	C. S. de Bernal <i>et al.</i>	Mar. 8, 1861	R. O. Mathewson	do.	do.	do.	do.	Do.
83	Sierte en Dolores	Heirs P. J. Palomeres	Oct. 8, 1860	W. J. Lewis	do.	do.	do.	do.	Do.
84	Bennett tract	Mary B. Bennett	Jan. 20, 1861	W. J. Lewis	do.	do.	do.	do.	Do.
85	San Vicente	M. Z. B. Berreyesa <i>et al.</i>	Apr. 15, 1861	J. T. Stratton	do.	do.	do.	do.	Do.
86	Pastoria de las Borregas	M. T. P. de Castro	Apr. 25, 1861	R. C. Mathewson	do.	do.	do.	do.	Do.
87	Napa, (part)	N. Coombs	May 7, 1861	T. J. Dewoody	do.	do.	do.	do.	Do.
88	Entre Napa, (part)	do.	May 9, 1861	do.	do.	do.	do.	do.	Do.
89	do.	R. L. Kiburn	do.	do.	do.	do.	do.	do.	Do.
90	do.	J. de la Guerra y Noriega	Aug. 1, 1860	J. E. Terrell	38 19 56	543 48	48,671.56	June 1, 1861	Survey approved by the district court.
91	El Conejo	Ellen E. White	Feb. 1, 1861	do.	39 60 50	446 34	26,637.16	do.	Survey approved by the district court.
92	Cholam	W. H. Osborne	Sept. 24, 1860	T. J. Dewoody	3 33 5	51 20	259.61	do.	Survey approved by the district court.
93	Napa, (part)	do.	do.	do.	5 17 18	89 35	679.59	do.	Survey approved by the district court.
94	do.	J. K. Rose	do.	do.	5 67 92	87 74	594.83	do.	Survey approved by the district court.
95	do.	Domingo Felix	Oct. 12, 1860	do.	7 16 26	258 4	4,448.97	do.	Survey approved by the district court.
96	Felix rancho	J. S. Alenany	Oct. 1, 1860	H. Hancock	3 41 37	52 76	92.31	do.	Survey approved by the district court.
97	Ex-Mission San Diego	do.	Aug. 1, 1860	R. O. Mathewson	4 39 57	67 43	53.39	do.	Survey approved by the district court.
98	Ex-Mission San Luis Rey	do.	Feb. 10, 1860	O. P. Sutton	79 55 50	1,185 41	48,854.36	do.	Survey approved by the district court.
99	Jimeno, (resurvey ordered by district court.)	To Larkin <i>et al.</i>	Mar. 12, 1861	do.	23 13 73	357 57	13,323.89	do.	Survey approved by the district court.
100	Uano de Santa Rosa, (resurvey ordered by district court.)	Josquin Carillo	Mar. 12, 1861	do.	4 69 59	73 4	76.94	June 1, 1861	Survey approved by the district court.
101	Ex-Mission San Fernando	J. S. Alemany, bishop	Aug. 1, 1860	H. Hancock	3 78 6	59 64	2,229.84	do.	Survey approved by the district court.
102	Rincon del Arroyo de San Francisco	H. de M. A. Mesa	Feb. 3, 1861	R. O. Mathewson	19,947 19	do.	do.	do.	Survey approved by the district court.
103	Franciaquito, (resurvey ordered by district court.)	do.	do.	do.	do.	do.	do.	do.	Survey approved by the district court.

G.

Statement of appropriations on account of salaries of clerks, &c., and expenditures by the surveyor general of the United States for California, for the fiscal year ending June 30, 1861.

1860. July	1	Dr. To appropriations for fiscal year, as advised by the department.....	\$17,000 00	1860. September 30 December 31 March 31 June 30	Cr. By amount expended, payment of clerks, &c., as follows: 3d quarter, 1860..... 4th quarter, 1860..... 1st quarter, 1861..... 2d quarter, 1861..... Balance.....	\$4,800 00 4,800 00 4,335 00 3,061 77 3 23
1861. July	1	To balance	17,000 00			17,000 00
			3 23			

I.

Statements of appropriations on account of "Rent of office," &c., and expenditures by the surveyor general of the United States for California, for the fiscal year ending June 30, 1861.

1860.	Dr.	1860.	Cr.
July 1	To balance from last year's appropriation.		By amounts disbursed, as per accounts current rendered, as follows :
	To appropriation for fiscal year 1860-'61--	\$2,339 18	Amounts, as per vouchers.....
		2,500 00	do.....do.....
			do.....do.....
			do.....do.....
			do.....do.....
			Balance.....
		4,839 18	
		18 12	
1861.			
July 1	To balance.....		

1860.	Dr.	1860.	Cr.
July 1	To balance from last year's appropriation.		By amounts disbursed, as per accounts current rendered, as follows :
	To appropriation for fiscal year 1860-'61--	\$2,339 18	Amounts, as per vouchers.....
		2,500 00	do.....do.....
			do.....do.....
			do.....do.....
			do.....do.....
			Balance.....
		4,839 18	
		18 12	
1861.			
July 1	To balance.....		

J.—Statement of descriptive notes, decrees of court, &c., private land claims to accompany plats for patents, compiled for transmission to the department at Washington, during the year ending June 30, 1861.

Nature of work.	Name of claim.	To whom confirmed.	Original.	For Washington.	When sent.
Descriptive notes	Rancho de Farwell.....	J. Williams & al.....	1	1	Nov. 30, 1860
Decrees	San Gregorio	S. Castro	1	1	Dec. 10, 1860
Descriptive notes	San Gregorio	M. C. V. de Rodriguez.....	1	1	Dec. 10, 1860
Decrees	Cañada de los Osos y Pecho y Islay	J. Wilson.....	1	1	Dec. 20, 1860
Descriptive notes	Los Corralitos	Hells of J. Amist.....	1	1	Jan. 16, 1861
Decrees	Los Aromitas y Agua Caliente.....	F. A. McDougall & al.....	1	1	Jan. 19, 1861
Descriptive notes	Los Carneros	F. A. McDougall & al.....	1	1	Jan. 19, 1861
Decrees	Vega del Rio del Pajara	F. A. McDougall & al.....	1	1	Jan. 19, 1861
Descriptive notes	Campo de los Franceses.....	C. M. Weber.....	1	1	Feb. 13, 1861
Decrees	Bosquejo	P. Lassen.....	1	1	Feb. 20, 1861
Descriptive notes	Rancho German	C. Meyer & al.....	1	1	April 10, 1861
Decrees	Total.....		11	11	

K.

Statement of work in draughting department, surveyor general's office, California, during the year ending June 30, 1861—plats, public surveys, &c.

Mt. Diablo meridian.		Towns'p lines.		Subdivision lines.			Remarks.
Township.	Range.	Office.	Department.	Office.	Department.	Register.	
		1	1	-----	-----	-----	Thompson's connecting line of El Sur rancho.
18 N.	13 W.	-----	-----	-----	-----	1	Changed maps.
10 N.	4 W.	-----	-----	-----	-----	1	
13 N.	1 W.	-----	-----	-----	1	1	
7 N.	2 W.	-----	-----	-----	-----	1	
11 N.	2 W.	-----	-----	1	1	-----	
16 N.	13 W.	-----	-----	1	1	1	
19 N.	12 W.	-----	-----	1	1	1	
19 N.	13 W.	-----	-----	1	1	1	
17 N.	12 W.	-----	-----	-----	-----	1	
17 N.	13 W.	-----	-----	-----	-----	1	
18 N.	14 W.	-----	-----	-----	-----	1	
20 N.	15 W.	-----	-----	-----	-----	1	
22 N.	15 W.	-----	-----	-----	-----	1	
12 N.	4 E.	-----	-----	1	1	1	
13 N.	4 E.	-----	-----	1	1	1	
14 N.	4 E.	-----	-----	1	1	1	
15 N.	5 E.	-----	-----	1	1	1	
16 N.	4 E.	-----	-----	1	1	1	
10 N.	5 E.	-----	-----	-----	-----	1	
24 S.	10 E.	-----	-----	-----	-----	2	
7 S.	9 E.	-----	-----	-----	-----	1	
8 S.	10 E.	-----	-----	-----	-----	1	
28 S.	13 E.	-----	-----	-----	-----	1	
9 S.	7 E.	-----	-----	-----	-----	1	
23 S.	8 E.	-----	-----	-----	-----	1	
8 S.	11 E.	-----	-----	-----	-----	1	
20 S.	11 E.	-----	-----	-----	-----	1	
28 S.	14 E.	-----	-----	-----	-----	1	
25 S.	9 E.	-----	-----	-----	-----	1	
26 S.	10 E.	-----	-----	-----	-----	1	
27 S.	10 E.	-----	-----	-----	-----	1	
27 S.	28 E.	-----	-----	-----	-----	1	
27 S.	29 E.	-----	-----	-----	-----	1	
7 S.	7 E.	-----	-----	-----	-----	1	
6 S.	7 E.	-----	-----	-----	-----	1	
9 S.	9 E.	-----	-----	-----	-----	1	
8 S.	9 E.	-----	-----	-----	-----	1	
9 S.	8 E.	-----	-----	-----	-----	1	
14 S.	6 E.	-----	-----	-----	-----	1	
22 S.	7 E.	-----	-----	-----	-----	1	
13 S.	6 E.	-----	-----	-----	-----	1	
14 S.	7 E.	-----	-----	-----	-----	1	
10 S.	8 E.	-----	-----	-----	-----	1	
26 S.	29 E.	-----	-----	-----	-----	1	
29 S.	32 E.	-----	-----	-----	-----	1	
29 S.	30 E.	-----	-----	-----	-----	1	

Statement of work in draughting department, &c.—Continued.

Mt. Diablo meridian.		Towns'p lines.		Subdivision lines.			Remarks.
Township.	Range.	Office.	Department.	Office.	Department.	Register.	
3 S.....	6 E..					1	
8 S.....	8 E..	.....	.....	.....	.....	1	
18 S.....	27 E..	.....	.....	.....	.....	1	
20 S.....	9 E..	.....	.....	.....	.....	1	
21 S.....	29 E..	.....	.....	.....	.....	1	
23 S.....	29 E..	.....	.....	.....	.....	1	
24 S.....	29 E..	.....	.....	.....	.....	1	
25 S.....	30 E..	.....	.....	.....	.....	1	
San Bernardino meridian.							
7 N.....	30 W..					1	Changed maps. Township lines.
7 N.....	31 W..	.....	.....	1	1	.....	
8 N.....	24 W..	.....	.....	.....	.....	1	
8 N.....	30 W..	.....	.....	.....	.....	1	
8 N.....	31 W..	.....	.....	1	1	.....	
9 N.....	24 W..	.....	.....	.....	.....	1	
9 N.....	26 W..	.....	.....	.....	.....	1	
9 N.....	32 W..	.....	.....	1	1	.....	
9 N.....	33 W..	.....	.....	1	1	.....	
9 N.....	34 W..	.....	.....	1	1	.....	
10 N.....	24 W..	.....	.....	.....	.....	1	
10 N.....	25 W..	.....	.....	.....	.....	1	
10 N.....	26 W..	.....	.....	.....	.....	1	
10 N.....	27 W..	.....	.....	.....	.....	1	
10 N.....	32 W..	.....	.....	.....	1	.....	
10 N.....	33 W..	.....	.....	1	1	.....	
10 N.....	34 W..	.....	.....	1	1	.....	
11 N.....	31 W..	.....	.....	.....	.....	1	
11 N.....	32 W..	.....	.....	.....	.....	1	
Humboldt meridian.		1	1				Township lines.
2 S.....	1 W..			1			Township lines.
1 S.....	2 W..	.....	.....	1	.....	.....	
1 S.....	3 W..	.....	.....	1	.....	.....	
Total.....	.....	3	2	19	18	65	

K.

Plats of private land claims.

Name of claim.	To whom confirmed.	Original.	Copy for patent.	Copy for accounts.	Copy for district court.
San Miguelito.....	M. Gonzales	1	1	1	1
Los Ogitos	M. Soberanes	1	1	1	1
Las Aromitas y Agua Caliente	McDougall	1	1	1	1
Bolsa de San Cayetano	J. J. Vallejo.....	1	1	1	1
San Benito.....	J. Watson.....	1	1	1	1
San Bernardo.....	M. Soberanes	1	1	1	1
Cañada Verde y Arroyo de la Purissima	J. A. Aviso	1	1	1	2
Part of San Gregorio.....	M. C. De Roderiguez	1	1	1	1
Part of San Gregorio.....	S. Castro	1	1	1	1
La Bocha de la Cañada Pinole.....	M. M. Valencia	1	1	1	1
San Andres.....	G. Castro <i>et al.</i> , executors of J. Castro.....	1	1	1	1
Santa Teresa	A. Bernal <i>et al.</i>	1	1	1	1
Potrero de los Cerritos	T. Pacheco and A. Alviso	1	1	1	1
Medanos	J. D. Stevenson <i>et al.</i>	1	1	1	1
Corral de Quati.....	M. A. De la Guerra La- tallade.....	1	1	1	1
Laguna	O. Gutierrez.....	1	1	1	1
Los Alamos	J. A. De la Guerra	1	1	1	1
Sisquoc	J. B. Hine <i>et al.</i>	1	1	1	1
Tepusquet	A. M. Cota <i>et al.</i>	1	1	1	1
La Zaca.....	M. A. De la Guerra La- tallade	1	1	1	1
San Lucas.....	J. McKinley.....	1	1	1	1
La Laguna de los Palos Colorados	J. Moraga and J. Bernal	1	1	1	1
Casmalia	Antonio Olivera.....	1	1	1	1
Cañada de Salsepuedes.....	John Keyes	1	1	1	1
Butano	M. Roderiguez.....	1	1	1	1
San Simeon	J. M. Gomez.....	1	1	1	1
San Ramon.....	J. M. Amador	1	1	1	2
Santa Rita	J. D. Pacheco.....	1	1	1	1
Valle de San José.....	A. Suñol and J. A. Bernal	1	1	1	1
San Ramon.....	Leo Norris	1	1	1	1
Punta de Concepcion	A. Carrillo	1	1	1	1
Nuestra Señora del Refugio.....	A. M. Ortega <i>et al.</i>	1	1	1	1
Cañada de Corral	J. D. Ortega.....	1	1	1	1
Los dos Pueblos	N. A. Den	1	1	1	1
Las Pocitas y la Calera	M. C. De Jones	1	1	1	1
El Rincon	T. Arellanes	1	1	1	1
Rincon de las Salinas.....	R. Estrada	1	1	1	1
Los Alamitos	A. Stearns.....	1	1	1	1
Las Bolsas	R. Yerba <i>et al.</i>	1	1	1	1
La Bolsa Chica	J. Ruiz.....	1	1	1	1
Los Nogales.....	M. de Jesus Garcia.....	1	1	1	1
German	C. Mujer <i>et al.</i>	1	1	1	1
Nipoma.....	W. G. Dana	1	1	1	1
Pismo	J. J. Sparks	1	1	1	1
Punta de la Laguna.....	L. Arellanes <i>et al.</i>	1	1	1	1

Plats of private land claims—Continued.

Name of claim.	To whom confirmed.	Original.	Copy for patent.	Copy for accounts.	Copy for district court.
Bolsa de Chamisal	L. T. Burton.....	1	.....	1	.....
El Potrero de Santa Clara	R. F. Stockton.....	1	1	1	.....
Guadalupe	Diego Olivera <i>et al.</i>	1	.....	1	.....
Mission Santa Barbara.....	Alemanys Bishop	1	.....	1	.....
Tolenas	J. F. Armijo <i>et al.</i>	1	.....	1	1
San Juan Bautista	J. A. Narvarrez	1	.....	1	1
Las Animas	J. M. Sanchez	1	.....	1	.....
Arroyo del Rodeo.....	J. Hames and J. Dauben- bass.....	1	.....	1	.....
Part of Napa.....	L. Bartlett	1	.....	1	.....
Part of Napa.....	W. H. Osborn.....	1	.....	1	.....
Part of Napa.....	J. K. Rose	1	.....	1	.....
Santa Paula y Saticoy	J. P. Davidson.....	1	.....	1	.....
Las Posas	J. De la Guerra Noriega ..	1	.....	1	.....
Santa Clara del Norte.....	J. Sanchez	1	.....	1	1
San Miguel.....	R. Olivas and F. Lorenzana	1	.....	1	.....
Cañada de San Miguelito	J. F. De Rodriguez <i>et al.</i> ...	1	.....	1	.....
Ojay.....	Fernando Pico	1	.....	1	.....
El Conejo	J. De la Guerra Noriega ..	1	.....	1	.....
Simi.....	J. De la Guerra Noriega ..	1	.....	1	.....
El Primer Cañon.....	J. F. Dye	1	.....	1	1
Calleguas	Gabriel Ruiz.....	1	.....	1	.....
Cholame	Ellen E. White	1	.....	1	.....
Santa Manuela	F. J. Branch	1	.....	1	.....
Corral de Piedra.....	J. M. Villavicencio.....	1	.....	1	.....
Gaudalasca	T. Yerba	1	.....	1	1
Arroyo la Nueces y Olbones.....	Heirs of J. S. Pacheco	1	.....	1	2
Rinconada del Arroyo de San Francisquito	Heirs of Maria Antonio Mesa.....	1	.....	1	.....
Potrero de San Luis Obispo	M. C. Beronda.....	1	.....	1	.....
Mission San Buenaventura.....	Alemanys Bishop	1	.....	1	.....
Mission La Purissima	J. M. Malo	1	.....	1	.....
Sanjon de Santa Rita	F. Soberanes.....	1	.....	1	.....
Los Capitancillos	C. Foesatt	1	.....	1	1
Asuncion	P. Estrada	1	.....	1	.....
Lot in the Mission San Buenaventura.....	Fernando Tico	1	.....	1	.....
San Antonio or Pescadero	J. J. Gonzales	1	.....	1	.....
Suerte en Dolores	Palomeirez	1	.....	1	.....
Tract in Mission Dolores.....	C. S. de Bernal <i>et al.</i>	1	.....	1	.....
Llano de Santa Rosa	J. Carrillo	1	.....	1	1
Moro y Cayucos.....	J. McKinley.....	1	.....	1	.....
San Vicente	B. Berryessa	1	.....	1	1
Two tracts in Santa Clara county.....	Mary S. Bennett.....	1	.....	1	.....
Jimeno	T. O. Larkin and J. Misroon	1	.....	.....	1
Feliz	D. Feliz	1	.....	1	.....
Rincon de San Francisquito.....	T. and S. Robles.....	1	.....	.....	1
Saucelito	Wm. A. Richardson.....	1	.....	.....	1
Carne Humana	Heirs of E. A. Bale	1	.....	.....	.....
Mission Santa Ynez	Alemanys Bishop	1	.....	1	.....
Ulistac	Heirs of J. D. Hoppe.....	1	.....	.....	.....
Los Tularcitos	J. Figueroa	1	.....	.....	.....

Plats of private land claims—Continued.

Name of claim.	To whom confirmed.	Original.	Copy for patent.	Copy for accounts.	Copy for district court.
Cañada de Guadalupe, La Visitacion y Rodeo Viejo.	H. R. Payson	1	—	—	—
Cañada de Guadalupe y Rodeo Viejo	Wm. Pierce	1	—	—	—
Ex-Mission San Luis Rey	Alemaný Bishop	1	—	1	—
Bosquejo	Peter Lassen	1	1	1	1
Cañada de los Osos and Peche y Islay	John Wilson	—	1	—	—
El Sur	J. B. R. Cooper	—	—	1	—
Honcut	C. Covillard	—	—	1	—
Rio de las Americanos	Folsom	—	—	1	—
San Ysidro	M. C. Ortega	—	—	—	1
San Ysidro	Q. Ortega	—	—	—	1
Mallacomes y Moristul	J. S. Berryessa	—	—	—	1
Pala	E. E. White <i>et al.</i>	—	—	—	1
Soulañule	S. D. Watkins	—	—	—	1
Quito	M. Alviso <i>et al.</i>	—	—	—	1
Lompoc	J. Carrillo <i>et al.</i>	—	—	—	1
Los Palos Verdes	J. L. Sepulvedo	—	—	—	1
Agua Caliente	T. M. Leavenworth	—	—	—	1
Corte Madera del Presidio	Heirs of John Read	—	—	—	1
Petaluma	M. G. Vallejo	—	—	—	1
Corral de Tierra	Vasquez	—	—	—	1
Cabeza de Santa Rosa	Eldridge	—	—	—	1
Alisal	Hartnell	—	—	—	1
Miramontes	V. Miramontes <i>et al.</i>	—	—	—	1
Milpitas	Heirs of J. M. Alviso	—	—	—	1
Tomales y Baulines	Phelps	—	—	—	1
Azusa	Dalton	—	—	—	1
Rancheria del Rio Estanislao	F. Rico and J. A. Castro ..	—	—	—	1
Tomales y Baulines	Garcia	—	—	—	1
Piojo	Heirs of J. Soto	—	—	—	1
San Bernardino	J. del C. Lugo <i>et al.</i>	—	—	—	1
Rincon de la Puente del Monte	F. Gonzales	—	—	—	1
San José del Valle	J. J. Warner	—	—	—	1
Los Coyotes	A. Pico <i>et al.</i>	—	—	—	1
Santa Ana	Ayala <i>et al.</i>	—	—	—	1
Sketch of Mount Diablo country .....	.....	—	—	—	1
Cabeza de Santa Rosa	J. Carrillo	—	—	—	1
San José	Pacheco	—	—	—	1
San Pedro	J. Sanchez	—	—	—	1
Paso de Robles	P. Rios	—	—	1	—
San Francisquito	M. C. V. De Rodriguez	—	—	—	1
El Potrero de San Carlos	J. Gutierrez	—	—	—	1
San Justo	F. P. Pacheco	—	—	—	1
Las Carneras	McDougall	—	1	—	—
Vega del Rio del Pajaro	F. A. McDougall <i>et al.</i>	—	1	—	—
Cienega de los Paicenes	J. Castro	—	—	1	—
Los Corralitos	Heirs of J. Anusti	—	1	—	—
Sketch of Rincon de Nusalacon Tzabaco and Sotoyome.	.....	—	—	—	1

* Collated map for court.

Plats of private land claims—Continued.

Name of claim.	To whom confirmed.	Original.	Copy for patent.	Copy for accounts.	Copy for district court.
Deseño .....	.....	.....	.....	.....	1
Ex-Mission San Diego.....	Alemany Bishop .....	.....	.....	2	.....
Sketches of Pajaro river.....	.....	.....	.....	.....	2
Campo de los Franceses	C. M. Webber.....	.....	1	.....	.....
Ex-Mission San Fernando.....	Eulogio de Celis .....	.....	.....	.....	1
Soulajule	J. S. Brackett <i>et al.</i>.....	.....	.....	.....	1
Azusa	A. Duarte .....	.....	.....	.....	1
Collated map of Cañada del Hambre, Las Juntas, and El Pinalé.....	.....	.....	.....	.....	1
Buena Esperanza	D. Spence .....	.....	.....	.....	1
Ascunson	P. Estrada .....	.....	.....	.....	1
Tujunga	D. W. Alexander <i>et al.</i> .....	.....	.....	.....	1
Santa Ana del Chino.....	M. M. Williams <i>et al.</i>.....	.....	.....	.....	1
Addition to Santa Ana del Chino.....	M. M. Williams <i>et al.</i>.....	.....	.....	.....	1
San Leandro	Estudillo .....	.....	.....	1	.....
San Lorenzo	Barbara Sota .....	.....	.....	1	.....
Napa	Otto Frank <i>et al.</i>.....	.....	.....	1	.....
Sketch of part of New Helvetia.....	New Helvetia.....	.....	.....	.....	1
Cabeza de Santa Rosa.....	J. Carillo <i>et al.</i>.....	.....	.....	1	.....
	Total.....	98	11	91	79

RECAPITULATION.

Township and subdivision plats	107
Plats of ranches, &c.....	279
Deseños and sketches for deputies	40
	<u>426</u>

M.

Statement of office-work, under the act of June 20, 1860, to "define and regulate the jurisdiction of the district courts of the United States in California in regard to the survey and location of confirmed private land claims," to June 30, 1861.

Private land claims advertised to June 30.....	251
Advertisements prepared for office record.....	251
Advertisements for publication in Los Angeles or San Francisco.....	251
Advertisements for publication in paper nearest land.....	251
Accounts of publishers examined, certified in duplicate, and originals forwarded...	164
General certificates noted on plats of survey.....	251
Special certificates of facts for each claim in record book.....	251
Certified copies of same forwarded to department.....	50
Number of surveys of private land claims ordered into the United States district court.....	125
Resurveys ordered.....	9
Surveys approved.....	13
Surveys not yet adjudicated.....	103

N.

Statement of surveys ordered into United States district courts under act of June 20, 1861.

Name of rancho.	When order filed.	Remarks.
Arroyo Chico.....	Sept. 3, 1859	Survey reviewed; patent issued.
Arroyo Seco.....	Oct. 26, 1859	
Agua Caliente, (Leavenworth).....	Sept. 13, 1860	Resurvey ordered.
Allisal.....	Sept. 27, 1860	
Azusa, (H. Dalton).....	Oct. 3, 1860	
Arroyo de los Nueces y Bolbones.....	Jan. 16, 1861	
Bosquejo.....	Oct. 28, 1859	
Boga.....	Nov. 7, 1859	
Burri Burri.....	Dec. 24, 1859	
Bolsa de San Cayetano.....	Jan. 14, 1860	
Butano.....	Nov. 22, 1860	
Bocha de la Caña de Pinole.....	Dec. 15, 1860	
Bosquejo.....	Dec. 6, 1859	Survey approved.
Bermett Tracts.....	May 18, 1861	
Campo de los Franceses.....	June 21, 1859	Survey reviewed; patent issued.
Colus.....	May 30, 1859	
Cañada de Raymundo.....	June 23, 1859	Resurvey ordered and confirmed.
Corte Madero de Novato.....	July 7, 1859	
Cañada de Capay.....	Aug. 30, 1859	
Caymus.....	Oct. 26, 1859	
Cañada de Guadalupe, (Eaton).....	Oct. 26, 1859	
Cañada de Guadalupe, (Payson).....	Oct. 26, 1859	
Cañada de Capay.....	Jan. 10, 1860	
Cañada del Hambre.....	March 14, 1860	
Corte de Madera del Presidio.....	Sept. 13, 1860	

N—Continued.

Name of rancho.	When order filed.	Remarks.
Corral de Tierra, (T. Vasquez)	Sept. 22, 1860	Survey approved. Part to Julio Carrillo approved.
Carne Humana	Sept. 25, 1860	
Cabeza de Santa Rosa, (Eldridge)	Oct. 1, 1860	
Cañada Verde, &c.	Oct. 2, 1860	
Cabeza de Santa Rosa, (Carrillo & al)	Oct. 5, 1860	
Dos Pueblos	Feb. 26, 1861	Survey approved; patent issued.
Esquon	July 11, 1859	
El Pinole	March 16, 1860	Resurvey ordered and filed. Survey approved.
Ex-Mission San Fernando	March 13, 1860	
El Piojo	Nov. 8, 1860	
El Valle de San José	Oct. 16, 1860	
Guilicos	Feb. 23, 1860	
Guenoc	Oct. 4, 1860	Survey approved.
Honcut	Nov. 16, 1859	
Jimeno	Sept. 3, 1859	
Laguna de San Antonio	May 30, 1859	
Los Tularcitos	Oct. 12, 1859	
Los Baulenes	June 22, 1859	Survey approved.
Las Animas	July 12, 1859	
Las Putas	Sept. 30, 1859	
Laguna de la Merced	Oct. 14, 1859	
La Purísima Concepcion	Oct. 24, 1859	
Las Juntas	Dec. 6, 1859	Proceedings dismissed. Survey approved; patent issued.
Las Nogales	Dec. 21, 1859	
Las Armitas y Agua Caliente	Feb. 8, 1860	
Los Corralitos	March 28, 1860	
Llano de Santa Rosa	Sept. 4, 1860	
Lompoc	Sept. 17, 1860	Resurvey ordered and approved.
Los Palos Verdes	Sept. 17, 1860	
Las Mulpitas	Oct. 4, 1860	
Los Coyotes	Nov. 8, 1860	
Laguna de los Palos Colorados	Dec. 3, 1860	
Los Capitancillos	Jan. 8, 1861	Resurvey ordered.
Los Bolsas	Feb. 26, 1861	
Los Alamitos	Feb. 26, 1861	
Mallacomes, (Berreyesa)	Sept. 11, 1860	
Miramontes	Oct. 1, 1860	
Medanos	Jan. 15, 1861	Resurvey ordered and approved.
New Helvetia	Oct. 24, 1859	
New Helvetia	Dec. 3, 1859	
Orestimba	Nov. 7, 1859	
Pasolmi and El Pasito	Oct. 10, 1859	
Pastoria de las Borregas	Dec. 6, 1859	Resurvey ordered and approved.
Pala	Sept. 14, 1860	
Petaluma	Sept. 13, 1860	
Potrero de los Cerritos	Dec. 17, 1860	
Quito	Sept. 13, 1860	
Rio de los Americanos	May 31, 1859	Resurvey ordered and approved.
Rincon del Arroyo de San Francisquito	July 5, 1859	
Rincon de las Estores, (Alviso)	July 27, 1859	
Rincon de las Esteros, (Berreyesa)	July 27, 1859	
Rincon de Musulacon	Sept. 5, 1859	
Rio de los Borrendos	Feb. 8, 1860	

N—Continued.

Name of rancho.	When order filed.	Remarks.
Rancheria del Rio Estanislao	Oct. 16, 1860	
Rincon de la Puerte del Monte	Nov. 8, 1860	
Rincon de San Francisquito	Dec. 3, 1860	
Rinconada del Arroyo de San Francisquito	July 26, 1859	
San Francisco de las Liagas	May 30, 1859	
Sanjon de los Moquelumnes	June 1, 1859	
San Antonio, (part A. Peralta)	Aug. 30, 1859	
San Antonio, (part V. Peralta <i>et al</i>)	Aug. 30, 1859	
San Antonio, (part V. Peralta <i>et al</i>)	March 5, 1860	
San Pablo	Sept. 23, 1859	
San Pedro, (Sanchez)	Oct. 10, 1859	Resurvey ordered.
San Leandro, (Estudillo)	Oct. 19, 1859	
San Lorenzo, (G. Castro)	Nov. 7, 1859	
San Lorenzo, (B. Soto <i>et al</i>)	Nov. 22, 1859	
Salsipuedes	Jan. 15, 1860	Survey approved and patented.
Santa Ana del Chino and addition	Jan. 20, 1860	
San Pedro, Santa Margarita y las Gallinas	Aug. 27, 1859	
San Francisquito, M. C. V. de Rodriguez	Aug. 24, 1859	
San Justa		Survey approved.
San Ysidro, (Q. Ortega <i>et al</i>)	Sept. 3, 1860	
San Ysidro, (Q. Ortega)	Sept. 3, 1860	
Soulajulle, (S. D. Watkins)	Sept. 11, 1860	
San Juan Bautista	Oct. 1, 1860	
San Antonio, (Mesa)	Oct. 1, 1860	Resurvey ordered.
Santa Ana, Ayala <i>et al</i>	Nov. 19, 1860	
Sancelito	Oct. 31, 1860	
San Bernardino	Nov. 8, 1860	
San Bernardo	Nov. 8, 1860	
San José del Valle	Nov. 8, 1860	Proceedings under order dismissed.
Santa Ana, (Ayala <i>et al</i>)	Nov. 19, 1860	Order to retain plat in office.
San Pedro, (F. Sanches)	Nov. 30, 1860	Resurvey approved.
San Andres	Dec. 21, 1860	
San Justo		Plat resubmitted by surveyor general.
Santa Teresa	Jan. 18, 1861	
Santa Rita	Jan. 10, 1861	
San Ramon	Jan. 10, 1861	
Santa Paula y Santicoy	April 26, 1861	
Santa Ana del Chino	April 26, 1861	
Santa Ana del Chino, (addition)	April 26, 1861	
San Antonio el Pescadero	May 7, 1861	
San Vicente	May 15, 1861	
Tornales y Baulines, or Punta Reyes, (B. Phelps)	Oct. 4, 1860	
Tornales and Baulines, (R. Garcia)	Oct. 30, 1860	
Tolenas	March 7, 1861	
Ulistae	June 6, 1859	
Vega del Rio del Pajaro	Feb. 8, 1860	Proceedings dismissed.
Yajome	Oct. 28, 1859	
Zayante	June 23, 1859	Resurvey ordered.

O.

Estimate of expenses incident to the survey of public lands and private land claims in the State of California for the fiscal year ending June 30, 1862.

Salary of surveyor general.....	\$4,500 00
Salaries of regular clerks and draughtsmen in the office of the surveyor general.....	11,000 00
Salaries of keeper of archives and assistant.....	3,500 00
Salaries of clerks for extra aid, transcribing field-notes for preservation and transmission to the department.....	7,500 00
Rent of office, wages of messenger, purchase of instruments, stationery, fuel, &c.....	5,000 00
For surveying public lands and private land claims.....	150,000 00
	181,000 00

P.

Statement of townships requiring subdivision during next fiscal year, (see remarks in report.)

Mount Diablo meridian.	Name of adjoining ranchos.	Remarks.
T. 8 N., R. 6 E. ..	Del Paso and Rio de los Americanos.	All land outside ranch boundaries to be subdivided.
T. 8 N., R. 5 E. ..	New Helvetia and Del Paso..	All land south of this rancho to be subdivided.
T. 8 N., R. 4 E. ..	New Helvetia	All dry land outside of this rancho to be subdivided.
T. 9 N., R. 7 E. ..	San Juan and Rio de los Americanos.	The land east of this rancho to be subdivided.
T. 9 N., R. 5 E. ..	New Helvetia and Del Paso..	There seems to be a strip of dry land west of the El Paso rancho.
T. 9 N., R. 5 E. ..	New Helvetia, in the SE. corner of this township.	All dry land to be subdivided.
T. 16 N., R. 1 E. ..	General title rejected.....	All land fit for cultivation.
T. 16 N., R. 1 W.	do.....	All public land opposite Jimeno rancho
T. 17 N., R. 1 W.	do.....	All public land opposite Larkin's children's and Jimeno rancho.
T. 18 N., R. 1 W. ....	.....	All public land opposite Larkin's children's rancho.
T. 19 N., R. 1 E.	Aguas Frias	All the land outside of this rancho.
T. 19 N., R. 1 W.	Llano Seco.....	All the land outside of the Llano Seco rancho and east of the Sacramento river, opposite Larkin's children's rancho.
T. 20 N., R. 2 E.	Esquon.....	All the land outside of said rancho.
T. 20 N., R. 1 E.	Llano Seco, Aguas Frias, and Esquon.	All the land outside of these three ranchos.
T. 20 N., R. 1 E.	Llano Seco.....	A very small portion in the southeast corner of this township.
T. 21, 22, 23 N., R. 1 and 2 E. ....	.....	The township lines run in this section of country, by Deputy Whitaker, have never been approved or paid for, although they are shown on the general map.

P.—Continued.

Mount Diablo meridian.	Name of adjoining ranchos.	Remarks.
T. 7 N., R. 7 E. ..	Emanuel Pratt and John Sheldon's grant.	All the land outside of these two ranchos.
T. 6 N., R. 6 E. ..	Sheldon's Grant.....	All the land outside of this rancho.
T. 5 N., R. 5 E. ..	Sanjon de los Moquelumnes..	All the dry land outside of this rancho.
T. 5 N., R. 6 E. ..	do.....	All the land outside of this rancho.
T. 4 N., R. 6 E. ..	do.....	All the land east of this rancho.
T. 3 N., R. 6.....	Sanjon de los Moquelumnes and Los Moquelumnes.	All the land outside of these two ranchos.
T. 3 N., R. 7 E. ..	Los Moquelumnes	All the land outside of this rancho.
T. 2 N., R. 6 E. ..	do.....	Do. do.
T. 2 N., R. 7 E. ..	Los Moquelumnes and Campo de los Franceses.	All the land outside of these two ranchos.
T. 1 N., R. 7 E. ..	Campo de los Franceses.....	All the land east of said rancho.
Ts. 1 and 2 N., Rs. 1, 2, and 3 E.	Medanos, Meganos, Cañada de los Vaqueros, and El Pescadero.	All the land fit for cultivation outside of these three ranchos.
Ts. 1 and 2 N., R. 1 W.	Medanos, Monte del Diablo, and Arroyo de los Nueces y Bolbones.	Do. do.
T. 1 S., R. 1 E. ....	.....	All land fit for cultivation.
T. 1 S., Rs. 2 and 3 E.	Meganos, Cañada de los Vaqueros, and El Pescadero.	All land fit for cultivation outside of these three ranchos.
T. 1 S., R. 6 E.	Campo de los Franceses.....	All dry land south of said rancho.
T. 1 S., R. 7 E.	do.....	Completion of the subdivisions outside of said rancho.
T. 2 S., R. 1 W.	San Lorenzo and the San Ramon rancho.	All the land fit for cultivation outside of said ranchos.
T. 2 S., Rs. 1 and 2 E.	San Ramon, (Amador,) Livermore's.	All land fit for cultivation outside of said two ranchos.
T. 2 S., Rs. 5 and 6 E.	El Pescadero rancho	All land fit for cultivation outside of this rancho.
T. 3 S., R. 1 W.	San Ramon, (Amador,) Santa Rita, Arroyo de la Alameda, San Lorenzo.	All land fit for cultivation outside these four ranchos.
T. 3 S., R. 1 E.	San Ramon, Santa Rita, Valle de San José.	All land fit for cultivation outside these three ranchos.
T. 3 S., R. 2 E.	Las Positas.....	All land fit for cultivation outside this rancho.
T. 3 S., R. 4 E. ....	.....	All land fit for cultivation.
T. 4 S., R. 1 E.	Arroyo de la Alameda, Mission lands of San José, and Valle de San José.	All land fit for cultivation outside these three ranchos.
T. 4 S., Rs. 1 and 2 E.	Valle de San José	All land fit for cultivation outside this rancho.
T. 4 S., Rs. 3, 4, and 5 E.	.....	The township lines and the subdivisions of all the land fit for cultivation.
T. 4 S., Rs. 5 and 6 W.	San Pedro, Burri Burri, Corral de Tierra, and Domingo Felix.	All land fit for cultivation outside the three ranchos.
Ts. 5, 6, 7, 8, 9, 10, and 11, in ranges from the Pacific ocean on the SW, to the east foot of the Mt. Diablo range of mountain.	.....	Completion of the township lines; completion of the subdivision in township 6 S., range 5 W., between the ranchos Cañada Verde and San Gregorio. Resurvey of the subdivision of township 6 S., range 4 W., and subdivision of all the land in this tract of country fit for cultivation, and not covered by private grants.

No. 13 D.

OFFICE SURVEYOR GENERAL WASHINGTON TERRITORY,
Olympia, Washington Territory, September 9, 1861.

SIR: In compliance with custom, and your order, dated May 16, 1861, I proceed to make my annual report upon the condition of the surveying district of Washington Territory.

Documents marked A, B, C, and D, exhibit the present condition of the field-work.

During the past year the work has been kept fully up, both in the field and office, to the appropriations for the service.

I have reason to refer with satisfaction to the zeal, ability, and fidelity of the deputies employed; and the closings upon the old work has shown, as a general thing, honest and faithful work of preceding years.

Some eleven deputy surveyors have been employed, and some ten claim surveyors, and five commissioned during the past year.

There are now six surveying parties out: one upon the fertile lands lying west of the Cascade range of mountains, and including the bottom lands of the D'Wamish river and its tributaries, and the town of Seattle; one upon the timbered lands between Puget Sound, Hood's Canal, and the eastern base of the Olympic range of mountains; one on the lower Columbia; two parties in the Walla-Walla country, east of the Cascades, and near the forty-sixth parallel of north latitude; one on the Columbia river, near and including the portage at the Dalles.

Since the date of the last annual report, the contract for the survey of the remainder of the lands claimed by the Hudson's Bay Company, including the site of the town of Vancouver, has been closed.

In obedience to your orders of July 18, 1860, to Surveyor General Chapman, of Oregon, and myself, we had a conference in Portland, Oregon, and I here enclose a copy of our report upon the boundary line between Oregon and Washington. As no action has been taken upon the subject by the department, I hereby urge the great and increasing necessity now existing for the speedy and proper demarcation of the boundary, as the country on both sides of the parallel of 46° north latitude is rapidly filling with settlers, and the land surveys in townships and subdivisions cannot be made until the boundary is run.

I beg to report a large and rapidly increasing settlement east of the Cascade range of mountains, due to the recent discovery of very rich *gold placers* in the Nez Percé country, along the valley of the Clear Water, and probably extending easterly and southerly to the Salmon river, near the boundary of Utah.

There are now near ten thousand persons in that country, and all the farming lands will soon be in great demand to supply the miners.

I beg to reiterate my request of former years for some action upon the land claimed by the Puget Sound Agricultural Company in this Territory, the condition of which I had the honor to report fully upon to your office on the 8th December, 1859. Since then the hundreds of American farmers have gone on to steadily improve their farms, many new settlers are upon the tracts, and as many as five hundred citizens are deeply interested in the adjudication of the matter.

The work of surveying the heavily-timbered lands of the shore of Puget sound has been nearly coextensive with the settlements.

The bulk of the work for the future will be for the vast regions of the upper Columbia and its tributaries, and upon the rivers and bays of the Pacific coast of the Territory.

The small appropriation (but \$15,000) made by the last Congress is not sufficient to keep up with the progress of the settlements, especially east of the

Cascade mountains, and in the fertile valleys of the Walla-Walla, Souchet, and Colville rivers. I would urge my present estimate upon the department as necessary for the work, and in accordance with the requirements of pre-emptors.

I would call the attention of the department to the condition of some eighty American settlers upon the islands in the Archipelago De Haro, San Juan, and others now in controversy between the United States government and Great Britain. Speedy action in the matter would be of great service to those farmers, who are making valuable farms, especially upon the disputed island of San Juan.

Much material is compiled in this office for the preparation of complete township claim maps. Almost all the donation claims in the Territory have now been surveyed, and the completion of many township claim maps now only awaits the action of the district land offices in the matter of contests between claimants.

The land surveys having now extended over almost the whole region in which donation claims were taken, I think during the ensuing year nearly the whole of the donation claim business can be adjusted.

The maps accompanying this report have been made with great care, and not only exhibit the progress of the surveys, but are the best topographical maps ever made of Washington Territory. I am under obligations to many gentlemen connected with the public service in various parts of the Territory for valuable original material. From Lieutenant Mullen, United States army, chief of the Northern Pacific wagon road, and from various other sources, I have derived the materials for those parts of the Territory where my deputy surveyors have not extended their lines.

I would urge the lithographing of as many copies as possible, and would urgently request that several hundred copies of the map be sent to my successor here for distribution.

In conclusion, I beg to make my acknowledgments to the gentlemen connected with the surveys in Washington Territory, both in the field and in the office, for hearty, intelligent, and zealous co-operation, and to render my thanks to the General Land Office for continuous and prompt action in the many matters which the opening, progress, and extension of the public surveys in Washington Territory for the last seven years have brought about.

As I learn of the appointment of a successor to relieve me, I avail myself of this last annual report to hope that gentleman may have as cordial, frank, and agreeable relations with the department as his predecessor.

I am, sir, very respectfully, your obedient servant,

JAMES TILTON,

Surveyor General, Washington Territory.

COMMISSIONER GENERAL LAND OFFICE,
Washington City, D. C.

A.—Statement showing the condition of contracts which were not closed at the date of the last annual report.

Contract.		Name of deputy.	Work embraced in contract.	Remarks.
No.	Date.			
36	April 16, 1868	A. C. Smith.....	Subdivisions and exteriors of township 17 north, range 12 west, and townships 18 north, 7, 8, 9, 10, 11, and 12 west.	Exteriors of township 18 north, range 8 west, complete; not transmitted; subdivisions of township 18 north, range 8 west, abandoned; balance closed; plats, &c., transmitted.
38	Jan. 9, 1868	A. G. Henry.....	Exteriors and subdivisions of township 19 north, ranges 10, 11, 12, and 13 west, and township 20 north, ranges 11, 12, and 13 west.	Exteriors of townships 19 and 20 north, range 12 west, and 19 north, range 10 west, complete; not transmitted. Townships 19 and 20 north, range 11 west, closed, and work transmitted; balance of contract abandoned.
49	Dec. 31, 1869	Lewis Van Vleet.....	Subdivisions of township 2 north, range 1 east, and the unsurveyed portions of township 3 north, range 1 east; township 2 north, range 2 east, and t'ps 2, 3, and 4 north, r'ge 1 west.	Contract closed; plats, &c., transmitted to General Land Office.
52	Aug. 29, 1860	N. G. Terrill.....	Exteriors of townships 17 and 18 north, range 4 west, and exteriors and subdivisions of townships 19, 20, and 21 north, range 4 west.	Exteriors of townships 17 and 18 north, range 4 west, and exteriors and subdivisions of township 19 north, range 4 west, completed and transmitted to General Land Office; deputy at work on the balance; time for completion extended to December 25, 1861.
53	Sept. 1, 1860	William H. Carlson.....	Township 8 north, range 36 east; townships 7, 8, and 9 north, range 37 east, and township 9 north, range 38 east.	Contract closed; maps, &c., transmitted to General Land Office.
54	Sept. 3, 1860	Jared S. Hurd and James Lodge.	Townships 7, 8, and 9 north, range 35 east; townships 7 and 9 north, range 36 east.	Contract closed; maps, &c., transmitted to General Land Office.
55	Sept. 5, 1860	Lewis Van Vleet.....	Townships 3 and 4 north, ranges 15 and 16 east.	Contract closed; work transmitted to General Land Office.
56	Sept. 11, 1860	William Strong.....	Township 9 north, ranges 5 and 6 east	Township 9 north, ranges 5 and 6 east, not completed; time extended to December 25, 1861.

SURVEYOR GENERAL'S OFFICE, Olympia, W. T., September 9, 1861.

JAMES TILTON, Surveyor General of Washington Territory.

B.

Statement showing the amount, character, and present condition of the public surveys contracted for since the date of the last annual report.

Contract.		Name of deputy.	Surveys embraced in contract.	Estimated number of miles.	Rate per mile.	Amount of contract.	Remarks.
No.	Date.						
57	May 10, 1861	N. G. Terrill.....	Subdivisions of township 21 north, range 4 west; exteriors and subdivisions of township 22 north, ranges 2 and 3 west.	204	\$12	\$2, 448	Deputy in the field.
58	May 26, 1861	E. Richardson.....	Exteriors of townships 21, 22, 23, and 24 north, range 5 east; exteriors of townships 23 and 24 north, ranges 3 and 4 east, and subdivisions of townships 22 and 23 north, range 5 east; townships 22, 23, and 24 north, range 4 east; townships 23 and 24 north, range 3 east.	370	12	4, 440	Do.
59	June 3, 1861	Lewis Van Vleet.....	Exteriors and subdivisions of townships 7, 8, and 9 north, range 34 east, and of townships 7 and 8 north, range 33 east.	360	12	4, 320	Do.
60	July 1, 1861	H. J. G. Maxon.....	Exteriors and subdivisions of township 2 north, ranges 12, 13, 14, 15, and 16 east, and of township 3 north, ranges 13 and 14 east; and of township 5 north, ranges 22 and 23 east; exteriors of township 4 north, ranges 13 and 14 east.	370	12	4, 440	Do.

B—Continued.

Contract.		Name of deputy.	Surveys embraced in contract.	Estimated number of miles.	Rate per mile.	Amount of contract.	Remarks.
No.	Date.						
61	Aug. 23, 1861	W. H. Carlton -----	Exteriors of township 8 north, range 31 east; exteriors and subdivisions of township 7 north, range 31 east; township 11 north, ranges 35, 36, 37, and 38 east; township 11 north, ranges 35 and 36 east. Total	516 1,820	\$12 12	\$6,192 21,840	Deputy in the field.

JAMES TILTON, Surveyor General of Washington Territory.

SURVEYOR GENERAL'S OFFICE, Olympia, Washington Territory, September 9, 1861.

C.

Statement of original plats made and copies transmitted to the General Land Office since the date of the last annual report.

Description of plat.	No. of copies.				When transmitted to the General Land Office.
	Original.	General Land Office	District office.	Total.	
Township—					
No. 8 north, range.... 36 east.....	1	1	1	3	January 17, 1861.
7 do..... 37 east.....	1	1	1	3	Do.
8 do..... 37 east.....	1	1	1	3	Do.
9 do..... 37 east.....	1	1	1	3	Do.
9 do..... 38 east.....	1	1	1	3	Do.
7 do..... 35 east.....	1	1	1	3	February 8, 1861.
8 do..... 35 east.....	1	1	1	3	Do.
9 do..... 35 east.....	1	1	1	3	Do.
7 do..... 36 east.....	1	1	1	3	Do.
9 do..... 36 east.....	1	1	1	3	Do.
2 do..... 1 west.....	1	1	1	3	March 4, 1861.
3 do..... 1 west.....	1	1	1	3	Do.
4 do..... 1 west.....	1	1	1	3	Do.
2 do..... 1 east.....	1	1	1	3	Do.
3 do..... 1 east.....	1	1	1	3	Do.
2 do..... 2 east.....	1	1	1	3	Do.
3 do..... 15 east.....	1	1	1	3	March 29, 1861.
3 do..... 16 east.....	1	1	1	3	Do.
4 do..... 15 east.....	1	1	1	3	Do.
4 do..... 16 east.....	1	1	1	3	Do.
Exteriors townships 17 and 18 north, range 4 west.....	1	1	.....	2	August 17, 1861.
Exteriors and subdivisions township 19 north, range 4 west.....	1	1	1	3	Do.
Total.....	22	22	21	65	

JAMES TILTON,
Surveyor General, Washington Territory.

SURVEYOR GENERAL'S OFFICE,
Olympia, W. T., September 9, 1861.

D.

Estimate of expenses incident to the survey of the public lands in the Territory of Washington for the fiscal year ending June 30, 1863.

For salary of surveyor general.....	\$3,000
For salary of chief clerk.....	1,800
For salary of draughtsman.....	1,500
For salary of one clerk.....	1,300
For compensation of clerks to be employed according to the exigencies of the public service, and for transcribing field-notes of the public surveys, for preservation at the seat of government, platting and recording field-notes of private land claims, &c.....	3,400
For rent of office, wages of messenger, purchase and repairs of instruments, fuel, books, stationery, and other incidental expenses.....	2,500
For 276 miles meridian and standard parallel lines, at \$20 per mile.....	5,520
For 5,106 miles of township and subdivisional lines, at \$12 per mile.....	61,272
Total amount.....	80,292

SURVEYOR GENERAL'S OFFICE,

Olympia, Washington Territory, September 9, 1861.

JAMES TILTON,

Surveyor General, Washington Territory.

APPENDIX TO ANNUAL REPORT OF 1861.

PORTLAND, OREGON, *October 14, 1860.*

SIR: In accordance with your letter of the 18th of July, calling upon us for a report of the method proposed by us for the survey of that part of the boundary line between the State of Oregon and the Territory of Washington lying between the Columbia and Snake rivers, and upon the 46° of north latitude, we have the honor to submit the following views:

We recommend that the work be done by a party employed specially for that purpose, and *not* by contract, and submit herewith an estimate marked "A," herein enclosed.

We have engaged the services of Captain Walter W. De Lacy, as astronomical surveyor and chief of the party in the field. We are satisfied of his competency, and are assured of his having been carefully educated by Professor Mahon, of West Point, and that he has served with credit with Captain Whiting, Lieutenants Michler and Mendall, of the topographical engineers, United States army; has been an acting professor of mathematics in the navy; assistant to Captain or Brevet Major Barnard, on the Tehuantepec surveys, and in charge of work on military roads under Lieutenant Mullen for the last 18 months, on the Northern Pacific wagon road. We also refer you to Governor I. I. Stevens, delegate in Congress, for his qualifications.

Captain De Lacy has been employed as examiner of surveys by the surveyor general of Washington Territory to the entire satisfaction of that officer.

We propose to give detailed instructions to the chief of the party as to the size and character of the monuments and mile-posts, which will be for the most part basaltic stone, as the country to be traversed abounds in that material.

We would also suggest that an order be obtained, and sent us, from the War Department, for a small escort to be supplied by the military commandant at Fort Walla-Walla, to guard the astronomical and surveying parties on that part of the boundary lying east of the Blue mountains and near the Snake river, as the Indians in that part of the country are dangerous.

The observations for determining the "initial point" of the survey on the Columbia river can be commenced in the latter part of February or early in March.

In the office of the surveyor general of Oregon is a transit or zenith instrument which will probably suffice for the astronomical observations, and there is a railroad transit and a solar compass for the surveys in the office of the surveyor general of Washington Territory.

As it will require funds to place the parties in the field and purchase the outfit, we request that drafts upon the assistant treasurer at New York for, say, \$2,000, be sent us in funds of \$1,000 each, to the surveyors general of Oregon and Washington.

Very respectfully,

JAMES TILTON,
Surveyor General, Washington Territory.
W. W. CHAPMAN,
Surveyor General, Oregon.

Hon. JOSEPH S. WILSON,
Commissioner of the General Land Office.

A.

Estimate of the cost of survey of Oregon and Washington Territory boundary line between the Columbia and Snake rivers.

One astronomical surveyor, 120 days, at \$7 per day	\$840
One surveyor to connect astronomical points, when established, 80 days, at \$7 per day	560
One assistant astronomer, 120 days, at \$3 per day	360
One flagman, 80 days, at \$2 per day	160
Four chainmen, 80 days, at \$2 each, or \$8 per day	640
Two axemen, 80 days, at \$2 each, or \$4 per day	320
Two packers for 80 days, at \$2 each, or \$4 per day	320
Two camp keepers, or cooks, 80 days, at \$2 each, or \$4 per day	320
Purchase of 4 mules, with pack-saddles, bridles, lassos, and ropes, (complete,) at \$2 00 each	800
1,200 rations, for subsistence of the party, at 30 cents per ration	400
Tents, cooking utensils, axes, and camp equipage	100
Expense of examination in field	300
Total	5,120
From which deduct the estimated amount of sales of mules, saddles, and camp equipage, at the expiration of survey	620
Total cost	4,500

We submit whether it may not be proper to ask for a small additional appropriation to meet the contingency of a delay in the sale of the property when its

use shall no longer be required, or the sale shall fail to realize the amount of its estimated value.

Respectfully submitted.

JAMES TILTON,
Surveyor General of Washington Territory.
W. W. CHAPMAN,
Surveyor General of Oregon.

No. 13 E.

SURVEYOR GENERAL'S OFFICE,
Santa Fé, New Mexico, August 29, 1861.

SIR: I have the honor to submit my annual report of the operations and progress of this office, together with the accompanying tabular statements, &c., in support and illustration thereof.

The first of these exhibits the extent of the surveying operations, based upon the appropriation of \$10,000 made for that service for the fiscal year closing the 30th of June last; of this appropriation an unexpended balance of \$630 35 remains undrawn from the treasury. On the 20th instant, however, I contracted with Israel F. Battaile, long connected with this office in its field operations, for the survey of one township in this vicinity, and in a section of the country into which, in my opinion, the extension of the subdivisinal surveys is most needed, but which extension cannot be made with the limited appropriation for this year, or under my instructions from the General Land Office relative to the fund. This contract, in the execution of which Mr. Battaile is now absent in the field, will consume the entire appropriation out of which it is to be paid, and may, probably, as is contemplated by the terms of the contract, encroach to a slight extent upon the appropriation made for the current year, provided it be not all consumed under the contract with Mr. Means, of prior date.

On the 4th ultimo I contracted with Thomas Means, a gentleman of scientific accomplishments, for the survey of certain of the confirmed private land claims and their connexions with the public surveys.

The survey of the following tracts is provided for in this contract, viz: The towns of Tajique, Casa Colorado, Torreon, Manzana, Tejon, San Isidro, Cañon de San Diego, and Moro—the grants of John Lamy, Ortiz Mine, José Serafin Ramirez, Antonio Sandoval, Ramon Vigil, Francisco Martinez, and Sebastian Martin, and the two selected locations of the heirs of Luis Maria Cabeza de Baca; of those surveys four have been executed and just returned to the office—those of Moro, Lamy, Ortiz Mine, and one of the selected locations—and Mr. Means is now absent in the field engaged on the others.

The deputy surveyors in this district have to experience great risks from those pests of New Mexico, the wild Indians, who are continually and everywhere depredating on life and property, as well within as beyond the white settlements. Heretofore the deputies have generally been unable to procure the necessary escorts to accompany them for protection during their operations in the field, and the consequence was, that in several instances their animals were driven off before their eyes by the Indians, and in at least two instances they and their party were captured and for some time held prisoners by the savages. Had the present contractor for the survey of private land claims not met with the good fortune of being furnished by the commander of this military department with an escort to accompany him while engaged in surveying in that section of country lying along the Canadian river, I doubt whether he could have at all operated in

that region; and the remark is also applicable, in a greater or less degree, to the work he still has on hand contemplated by the contract, as part of it lies in the Navajo country, which formidable tribe of Indians are now at open war with the whites; and should he not be further favoured with an escort, I am apprehensive that all the claims included in his contract cannot at present be surveyed, and that the contract may have to be changed, so as to apply to other surveys, public or private.

I regret that Congress deemed proper to make appropriations for the surveying service in this district so much below those asked for by my predecessor and by myself. Parties interested in the premises are very anxious that their lands be separated from the public domain and the boundaries marked, and, indeed, it is important and proper that the government provide as soon as possible for its being done; but with the limited sums Congress has heretofore appropriated, especially during the last several years, it is impossible to carry on the surveying of the public and private lands to the extent required, in my opinion, by a due regard for the prosperity of the Territory and the interest of parties owning unsurveyed confirmed grants. The appropriation for the current year was only \$10,000, and from this sum \$2,000 has been taken by the Secretary of the Interior and applied to the new district of Colorado, leaving but \$8,000 applicable to surveys in New Mexico, all of which \$8,000 is, under your instructions, to be applied only to the survey of confirmed private land claims, and none of it, except for "connexions," to the survey of the public lands. My predecessor, in his estimate for the fiscal year just closed, asked for \$100,000, and in my last annual report I estimated for \$65,000 for the surveying service, one of which amounts I would prefer seeing appropriated to that service for the next year, but for which, considering the present peculiar condition of the country, I will not ask. My present estimate is the moderate sum of \$40,000 for all surveys during the ensuing fiscal year.

Since my last report, and in compliance with instructions from the General Land Office, I have collected all the donation claims on file in this office, and collated all the action had by the surveyor general thereon and relating thereto, and turned them over to the register of the land office here, together with all the documents and records theretofore constituting that branch of this office. Very few of the donation claimants whose applications were originally filed in this office, and whose terms for the occupancy and cultivation of the lands have expired long since, have applied for the patents to their lands. In some instances, however, they have done so, though I believe only in instances where the land settled on does not lie within the lines of the public surveys; in which case the final certificate or patent cannot issue to the parties, they having to await the progress of the public surveys, so as to fall within them, as stated in your letter to this office of May 23, 1860.

Congress having erected the new Territory of Colorado into a surveying district, including within its limits that part of this district lying north of the 37° of latitude, it embraces a considerable portion of the country surveyed under the administration of this office.

In compliance with your instructions I have forwarded the original field-notes of all the surveys in that section to the surveyor general of Colorado which were in a condition to be sent without mutilation in the separation from the permanent archives of this office; and of such as could not be so sent in their original form and condition, I have had authenticated transcripts prepared and forwarded, the whole accompanied with a plat of all the surveys described by the field-notes, and lying north of the seventh correction line north. The field-notes forwarded to the surveyor general's office of Colorado, and for whose safe deposit there I have just received the receipt of the surveyor general, are the following, embracing a region of country about thirty by forty-eight miles in extent, to wit: The original field-notes of the surveys of the eighth

correction line north, through ranges 8, 9, 10, and 11, and 12 east; and of the ninth, through ranges 7, 8, 9, and 10 east; of the exterior lines of townships 33, 34, 35, and 36 north, ranges 8, 9, and 10 east; and transcripts of those of the guide meridian between ranges 8 and 9 east, through townships 29, 30, 31, 32, 33, 34, 35, and 36 north; and of the exterior lines of townships 29, 30, 31, and 32 north, ranges 9, 10, 11, 12, and 13 east.

I am required by the same instructions to forward the original muniments of title on file in this office in all land grants formerly in this jurisdiction but now in that of the surveyor general of Colorado; but precisely which claims these are it is impossible to ascertain, except in a few cases, which are known to lie far enough north, certainly to lie above the 37° of latitude, or, in other words, in Colorado. The muniments of these are now ready for transmission to Denver City, and only wait an opportunity to be forwarded. Upon some of these claims I had already taken testimony, when your instructions reached me to transfer all the papers composing them to the office of the surveyor general of Colorado, to whom their adjudication now belongs.

Until the boundary line between New Mexico and Colorado shall have been run and marked, it will be impossible to ascertain whether those claims lying in that section of country crossed by the 37° of latitude lie within this or the Colorado surveying district, and whether their adjudication now devolves upon the surveyor general of New Mexico or of Colorado. It will therefore at once be observed that it is important to the parties interested in those lands, to say nothing of the government and the citizens generally, that the inter-territorial line be surveyed and marked on the face of the earth as soon as practicable.

Since my last annual report I have investigated, approved, and reported to the General Land Office the land claims of Pablo Montoza, No. 41, of Antonio Ortiz, No. 42, of the Ortiz Mine, No. 43, and of Tomas Cabeza de Baca, No. 44, and have made and reported for the heirs of Luis Maria Baca, deceased, in accordance with the provisions of the act of June 21, 1860, two of the five locations to which they are entitled under the law referred to. Of the grants reported, however, though they were all approved and sent up before the late regular session of Congress, I am advised of the action of that body on but one—that of the Ortiz Mine, which was confirmed. Others are now nearly ready to be decided on by the surveyor general and reported for the action of Congress, and will doubtless be transmitted to the General Land Office in time for the consideration of Congress at the approaching regular session. Others still are pending, as some of the testimony offered by the parties in interest is yet to be produced before the surveyor general's court.

In this connexion, I will observe that in his adjudication of the private land claims, which forms so large and important a part of the duties of the surveyor general, he cannot but sensibly feel the absence of authorities to refer to in his endeavors to arrive at just and equitable decisions as to the rights of parties and of the government. In view of the fact that all the grants under which lands are held in this country emanated or purport to have emanated from the government of Spain or of Mexico, and are contemplated by the treaty of Guadalupe Hidalgo and the organic act, and that the surveyor general is required by the latter to decide upon the validity or invalidity of those grants in accordance with the laws, usages, and customs of those countries, the importance of his acquainting himself with these "laws, usages, and customs," as affecting the granting of lands in New Mexico, will be at once obvious; and I have accordingly inserted an item in my estimates for the ensuing fiscal year for the purchase of the necessary books to supply that deficiency in the present equipment of the office, and of the surveyor general as an interpreter of the Spanish and American land laws, and the rights and privileges of parties affected by them, and have appended hereto a list, prepared by the translator, of the works most needed.

Though there have, since my last report, been some grants filed in the office for adjudication, I am satisfied that there are in existence hundreds which should be placed on file here, and which, in my opinion, should be required by law to be placed on file within a prescribed time, but of whose existence there is no evidence in the office. Holders of land grants, as the law now is, may or may not file their muniments of title in the office for investigation. I suggest the importance and propriety of a law requiring parties to file their claims here within a specified time, and providing for the forfeiture of the land claimed on failure of the owner to comply with the requirements. Such a law, circulated extensively over the Territory, would doubtless have the desired effect, and would result in a large increase of the archives of the office. The time fixed might be from time to time extended by Congress, in its discretion, until all the claims were filed, a result certainly much sooner attained in the way suggested than through the non-compulsory law which now provides for the collection of the claims into this office. In my judgment, Congress should at the same time create a board of commissioners for the investigation of land titles, but this recommendation has been so frequently made, and the reasons therefore so often set forth, in the annual reports from this office, that I will only incidentally repeat it on this occasion.

In at least one case of the survey of the confirmed private land claims the parties were dissatisfied with the survey, claiming that the deputy did not survey to them the quantity of land to which they were entitled under the grant. They appealed to me to order a new survey, which, of course, in the absence of the necessary authority to do so, I declined to do. I allude to the claim of E. W. Eaton, No. 16. As the boundaries of many of these claims are described in the grants by natural objects of notoriety only in the neighborhood in which the land in question lies, or, in the case of very old grants, by objects whose ancient identity, after the lapse of time and the changes of designation, it may now be difficult to recognize, and as the deputy surveyor has conferred upon him great discretion in determining the boundaries so described, it may in frequent instances easily happen that he fails to decide on and survey the true boundaries, or those really designated in the grant. It is important, and I recommend that a law be passed similar to the existing one, relative to like surveys in California, so that the true boundaries, in case the correctness of any survey is disputed by the party in interest, may be ascertained in a court of justice, and so that if the survey was erroneous a correction or a new survey may be ordered and executed.

I am aware, from a pretty extensive personal acquaintance with the Territory, of the existence of districts of country of considerable extent, both within and beyond the settlements, possessing great agricultural and stock-raising capacity, and which, with a view to the opening up of the country to settlement, and the extension of the frontier, ought, in my opinion, to be surveyed as soon as practicable. The Rio San Juan country, lying along the northern boundary of this Territory, about longitude 108° to 109° , is of this description, and into it it was my desire and intention to extend the public surveys, had the amount of the appropriation for the surveying service and my instructions permitted. During the last winter and spring there had a very considerable mining population congregated there, induced by the very attractive accounts circulated of the auriferous character of that region; and the evidences of the early establishment of a permanent population there were such that farms had been opened and stocked, towns laid off and lots sold, public roads chartered and constructed, and a new county (San Juan) created by the legislature. As descriptive of this interesting and important section, I append to this report a letter received in this office from a resident of character and prominence of San Juan county. I regret to have to add, however, that this beautiful region has now been very nearly or wholly abandoned by the population, and has reverted to its former condition of

a hunting ground for the savage—a result attributed to the scarcity of imported provisions, and the failure to discover the rich gold fields or mines whose existence had been so confidently reported; but especially, I apprehend, to the hostilities of the Indians, so numerous infesting that region. It is to be hoped that the accounts and the hopes of Captain Baker may yet be fully realized, and the country thereaway be peopled with the populous and flourishing settlement which it is said to be capable of sustaining.

The eighth section of the act of 1854, organizing this office, requires the surveyor general to “make a report in regard to all the pueblos existing in the Territory, showing the extent and locality of each, stating the number of the inhabitants in the said pueblos respectively, and the nature of their titles to their lands.” In accordance with this requirement, I append a tabular statement, embodying, as fully as they could be collected, these statistics of the pueblos, which I believe have not heretofore been collected and reported, as required by the law. The statement embraces, I believe, all the pueblos, whether in New Mexico proper or in Arizona. In alluding to the Pueblo Indians, I take occasion to remark that there is considerable complaint among them growing out of intrusions upon their lands by the white citizens of the country.

In suggesting the necessity of some legal provision for the protection of the rights of these simple-minded but virtuous and faithful people, the Pueblo Indians, I need only, in support of the recommendation, make the following extract from a letter on file in this office from one of the former Pueblo agents: “The Mexican people have in many instances set up claims to lands clearly within their (the Pueblos’) limits—in some instances almost in the centre of the pueblo. The consequence is that much ill feeling exists among them. * * * * * There are others of the Pueblos in the same situation; they complain bitterly of the encroachments of Mexicans upon them.”

The translator in the land claim branch of this office has prepared, from the archives of the office, the accompanying tabular list of all the captains general, governors, &c., holding office in New Mexico under the crown of Spain or the republic of Mexico, and all whom, it is supposed, were authorized to make grants of the public lands. The list is made in compliance with instructions from the General Land Office, and from memoranda collected from time to time during the last year in researches among the voluminous old Spanish archives on file here; and though it may doubtless hereafter be to some extent extended, it is now as perfect as the facilities and data for preparing it permitted. As a paper for reference it is as interesting as it is important.

Accompanying I have the honor to transmit a sketch map of all the surveys executed and returned to this office, except of the four heretofore mentioned as just returned. It will be observed that this map has been materially improved, as compared with the last and the previous ones. The draughtsman has bestowed great pains upon it, having collected all the information from the reports and maps of military topographical explorations in the territory, and availed himself of much other reliable data. The degrees of latitude and longitude have been marked upon it, the localities of important points laid down, and those of others corrected, and the courses of streams corrected and of new ones delineated. Indeed, aside from its character as a sketch of the surveys in this district, it may, as a map of general reference, be considered the best one of New Mexico extant. One copy of this map has been furnished by request of the commander of this military division at headquarters, and another to the Superintendent of Indian Affairs. I fully indorse the remark of the honorable commissioner in one of his recent letters, that it is the duty of the officers of the government to endeavor to retrench rather than expand the necessary expenditures in the public service. But while mindful of the correctness and propriety of the suggestion, I feel that I could not, in view of the exigencies of the service and of the great expense of

living in this country, have estimated at lower figures the respective appropriations required for the ensuing fiscal year.

The business of the office, especially in the recording of old field notes, is very considerably behind, and it is important that it be brought up; and comparatively very little of the public land has been surveyed.

Now that I am about to retire from the administration of this office, after a service therein of precisely one year to-day, I deem the occasion not inappropriate, in severing my official connexion with them, to pay a deserved compliment to the gentlemen employed in the office, a compliment that may best be expressed by saying that, both in the surveying and the Spanish or land claim branch of the office, they have uniformly exhibited the most gratifying degree of competence and faithfulness in the discharge of their various duties.

Very respectfully, your obedient servant,

A. P. WILBAR,

Surveyor General of New Mexico.

Hon. J. M. EDMUNDS,

Commissioner General Land Office, Washington City, D. C.

I.

Statement of surveys executed under Messrs. Pelham and Clements, deputy surveyors, under contract with the surveyor general of New Mexico, and paid for out of the appropriation of June 25, 1860, for surveys in New Mexico.

Under contract of—	Survey of—	Miles surveyed.	Cost of survey.	When surveyed.	Appropriation.	Remaining unexpended.
Sept. 5, 1860	The claim of Preston Beck, jr.....	131 06 73	\$1,966 26	September, 1860.....	\$10,000 00	
Do.....	The town of Anton Chico.....	93 19 96	1,398 74	Sept. & Oct., 1860.....	-----	
Do.....	The town of Las Vegas.....	120 02 39	1,800 44	October, 1860.....	-----	
Do.....	The claim of Donaciano Vigil, "Los Trigos".....	19 11 70	287 19	September, 1860.....	-----	
Do.....	The claim of E. W. Eaton.....	35 15 90	527 98	November, 1860.....	-----	
Do.....	The connexions with the public surveys.....	3 63 97	56 99	March & April, 1861.....	-----	
Nov. 15, 1860	The lines of the public surveys.....	277 53 69	3,332 05	Nov. & Dec., 1860.....	-----	\$630 36
Total.....	.....	680. 14. 34	9,369 65	-----	10,000 00	630 36

A. P. WILBAR, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Santa Fe, New Mexico, August 29, 1861.

II.

Statement showing respectively the names of all the Indian pueblos in New Mexico, with their localities, populations, wealth, &c., and the time when their land claims were confirmed by Congress, and when surveyed, and the areas thereof.

No.	Name of pueblo.	Designation in title office.	Locality—county.	Population—census of 1880.	Personal estate owned in pueblo.	Claim when confirmed.	Claim when surveyed.	Area of claim.	Remarks.
1	Jemez	A.	Santa Ana.	650	\$159,693	Dec. 22, 1858	August.	Acres. 17,510.45	On Jemez river.
2	Acoma	B.	Valencia.	523	43,782	do.....	August.	.....	On a rock 500 feet high, 15 miles southwest of Laguna; nearest water, 1 mile.
3	San Juan	C.	Rio Arriba.	341	14,950	do.....	July.	17,544.77	On Rio Grande.
4	Picuris	D.	Teos.	360	8,385	do.....	July.	17,460.69	On Rio Picuris.
5	San Felipe	E.	Santa Ana.	360	57,300	do.....	Nov. and Dec.	34,765.86	On Rio Grande.
6	Pecos	F.	San Miguel.	.....	.....	.....do.....	July and Aug.	16,763.33	Pueblo deserted; remnant of people now living at Zuni and Jemez.
7	Coehild.	G.	Santa Ana.	173	115,438	do.....	Aug. and Sept.	94,356.50	On Rio Grande.
8	Santo Domingo	H.	do.....	261	16,580	do.....	November.	74,743.11	On Rio Grande.
9	Teos	I.	Teos.	363	.....	.....do.....	July.	17,360.55	Value of personal property included with that of Picuris.
10	Santa Clara	K.	Rio Arriba.	179	.....	.....do.....	July.	17,368.53	Value of personal property included with that of San Juan.
11	Tesuque	L.	Santa Fé.	97	2,500	do.....	June	17,471.13	On Tesuque creek, 6 miles north of Santa Fé.
12	San Ildefonso	M.	do.....	154	2,610	do.....	June and July.	17,292.64	On Rio Grande.
13	Pojoaque	N.	do.....	37	2,800	do.....	June	13,530.38	On Pojoaque creek, 15 miles north of Santa Fé.
14	Zia	O.	do.....	117	2,035	do.....	August	17,514.63	Near the pueblo of Jemez.
15	Sandia	P.	Bernalillo	917	30,856	do.....	November.	94,187.29	On Rio Grande.
16	Laleta	Q.	Santa Fé.	440	7,080	do.....	October.	110,080.31	On Rio Grande.
17	Nambé	R.	Valencia.	103	5,510	do.....	June	13,586.33	On Nambé creek, 3 miles east of Pojoaque.
18	Laguna	S.	do.....	927	44,973	do.....	.....	.....	West of Albuquerque 45 miles; no claim filed.
19	Zuni	.....	.....do.....	1,300	13,108	June 21, 1860	.....	.....	On Zuni river; no claim filed.
20	San Xavier	.....	Santa Ana.	316	15,665	do.....	.....	.....	Lands on Rio Grande; pueblo 5 miles west; no claim filed.
21	San Juan	.....	Arizona	170	6,385	do.....	.....	.....	Papago pueblo, 9 miles south of Tucson; old Jesuit Mission.
22	Sacaton	.....	.....do.....	144	.....	.....do.....	.....	.....	On the Gila river; the first two pueblos inhabited by Maricopa Indians, and all the others by the Pimas; they are an agricultural and stock-raising people.—(Five sections three and four of the act "making appropriations for the current and contingent expenses of the Indian department," &c., approved February 28, 1859, making reservation of one hundred square miles for the confederated bands of the Pimas and Maricopas.)
23	Huaco Parrado	.....	.....do.....	250	.....	.....do.....	.....	.....	
24	Agua Fria	.....	.....do.....	527	.....	.....do.....	.....	.....	
25	Cerrito	.....	.....do.....	258	.....	.....do.....	.....	.....	
26	Arenal	.....	.....do.....	577	.....	.....do.....	.....	.....	
27	Cachanilla	.....	.....do.....	503	.....	.....do.....	.....	.....	
28	Horniquero	.....	.....do.....	510	.....	.....do.....	.....	.....	
29	Casa Blanca	.....	.....do.....	339	.....	.....do.....	.....	.....	
30	Carro Chiquito	.....	.....do.....	323	.....	.....do.....	.....	.....	
31	Llano	.....	.....do.....	385	.....	.....do.....	.....	.....	
					129,390	Feb. 28, 1859	In 1859	64,000.00	

II—Continued.

No.	Name of pueblo.	Designation in this office.	Locality— county.	Population—census of 1880.	Personal estate owned in pueblo.	Claim when con- firmed.	Claim when sur- veyed.	Area of claim. <i>Acres.</i>	Remarks.
32	Orla's	Mogul pueblos.	Lat. 33° 45' long. 110° 30'.	*800	*195,000		1850.		Comparatively very little is known of these Indians; they have occupied the pueblos from time immemorial; not known whether they have or ever had any written title to their lands. Their pueblos, like that of Acoma, are situated on the tops of high rocks or hills.
33	Shomopavi.....			*600					
34	Iano			*250					
35	Cichomovi			*100					
36	Opijiqui			*200					
37	Mobanganubi	Pápagos pueblos.	Arizona	*250	*195,000				The Pápagos inhabit the country between Tucson and the Colorado of the West and between the Gila and the international boundary line, and are similar in nearly all respects to the Pimas, speaking the same dialect, &c.
38	Shapaniold			*200					
39	Cumaro .....			.....					
40	Teocote .....			.....					
41	Charco .....			.....					
42	Pirigua .....			.....					
43	Cachos .....			.....					
44	Copito .....			.....					
45	Coca .....			.....					
46	Santa Rom. ....			.....					
47	Chahuvi .....			.....					
48	Liano .....			.....					
				16, 932	772, 766			517, 457. 48	

* Estimated.

SURVEYOR GENERAL'S OFFICE,
Santa Fe, New Mexico, August 29, 1881.

A. P. WILSAR, Surveyor General.

IV.

A list of the captains general, civil and military governors, &c., in authority in New Mexico under the crown of Spain and the governments of Mexico, as collected from the Spanish archives in the office of the surveyor general of New Mexico.

In office in—	Name of the officer.	Title or rank,	Under Spain or Mexico.
1698 ^o	Pedro Rodriguez Cubero	Governor and captain general..	Spain
1704	†	The Marquis de la Naba Bracinas	...do
1710	José Chacon Medina Salazar y Villaseñor	Governor and captain general..	...do
1710	†	The Marquis de la Pefuella	...do
1712	José Ygnacio Flores Mogollon.	†	...do
1716	Feliz Martinez	Governor and captain general..	...do
1718	Antonio Valverde Cossio	Governor and captain general <i>ad interim</i>	...do
1724	Juan Domingo de Bustamante.	Governor and captain general..	...do
1736	Gervacio Cruzat y Gongora	...do	...do
1742	Gaspar Domingo de Mendoza ..	...do	...do
1747	Francisco de Huemes y Horcasitas	...do	...do
1748	Joaquin Codallos y Rabal	†	...do
1761	Tomas Velez Cachupin	Governor and captain general..	...do
1769	Francisco Antonio Maria del Valle	...do	...do
1760	Pedro Fermin de Mendinueta ..	...do	...do
§	†	The Duke de Albuquerque	...do
	Diego de Vargas	Civil and military governor	...do
	Francisco Yrebol Navarro	Governor	...do
1786	Juan Bautista Anza	...do	...do
§	Juan Paez Hurtado	...do	...do
	Fernando de la Concha	...do	...do
1794	Fernando Chacon	Governor and captain general..	...do
1807	Joaquin del Real Alencaster ..	Governor	...do
1815	Alberto Maines	...do	...do
§	Pedro de Maria Allande	...do	...do
	José Antonio Viscarra	...do	...do
1809	José Manrique	...do	Mexico
1819	Facundo Melgares	...do	...do
§	Bartolome Baca	...do	...do
	Antonio Narbona	...do	...do
	José Antonio Chavez	...do	...do
	Santiago Abreu	...do	...do
	Francisco Sarracino	...do	...do
1837	Albino Perez	...do	...do
1842	Juan Andrés Archuleta	Governor <i>ad interim</i>	...do
1846	Manuel Armiso	Governor	...do

^o This is the oldest date any of the archives bear.

† The name of the individual does not appear

‡ The official title of the individual does not appear.

§ *Et seq.* The document bears no date.

A. P. WILBAR, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
Santa Fé, New Mexico, August 29, 1861.

V.

Estimates of appropriations required for the office of the surveyor general of New Mexico for the fiscal year ending June 30, 1863, on salary account.

For compensation of—	Formerly paid.	Now paid.	Pay now asked for.	Remarks.
Surveyor general, A. P. Wilbar	\$3,000 00	\$3,000 00	\$3,000 00	Compensation fixed by the organic act of July 22, 1854. To perform also the duties of chief clerk. To be also computer of surveys. Recording letters sent and received, and miscellaneous writing. Recording old field notes, employment for at least one year. Recording and copying in English and Spanish in private land claim department. The services are all absolutely necessary, and the estimated compensation low.
Translator and interpreter, D. J. Miller	2,100 00	2,000 00	2,100 00	
Draughtsman, C. B. Magruder	1,800 00	1,800 00	1,800 00	
Clerk, Juan C. Tapia	1,800 00	1,300 00	1,600 00	
Clerk, J. M. Edgar	1,800 00	1,200 00	1,500 00	
One clerk	1,800 00	.....	1,600 00	
	12,300 00	9,000 00	11,600 00	
<i>On surveying and incidental expense account.</i>				
Object of the appropriation asked for.				Amount.
For the survey of the public lands, and of pueblos and private land claims				\$40,000 00
For the purchase of stationery, fuel, lights, &c., wages of messenger, rent of office, printing, &c				2,500 00
For the purchase of Spanish and Mexican law books				1,000 00
				43,500 00

A. P. WILBAR, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Santa Fe, New Mexico, August 29, 1861.

VI.—*Memorandum of Spanish and Mexican books most required as reference authorities in the office of the surveyor general of New Mexico.*

1. Escriche: Diccionario de Legislacion, published in Mexico.
2. Cornejo: Diccionario Real de España, Madrid.
3. Febrero Novisimo, by N. de la Pascua, Mexico.
4. Ordenanzas de Minería, Mexico, 1846.
5. Sala: Hispano-Mexicano, Paris, 1844.
6. Novisima Recopilacion de las Leyes de España, Madrid.
7. Coleccion de los Decretos y ordenes de la Corte de España, Mexico.
8. Coleccion de Decretos from 1821 to date, Mexico.
9. Ordenanzas de Tierras y Aguas, by Galvan, Mexico.
10. Las siete Partidas, in English, New Orleans, 1820.
11. Instituciones de la Ley Civil de España, Madrid.
12. Biblioteca de Legislacion Ultramarina, Madrid, 1844.
13. Manual del Abogado, Madrid and Mexico.
14. Pandectas Hispano-Mexicanas, Mexico, 1839.
15. Ultimas Voluntades y Testamentos, by P. Murillo de Lara.
16. Land Law in California, Oregon, Texas, &c., Philadelphia, 1839.
17. Solorzano: Politica Indiana.
18. Diccionario de la Academia Española, latest edition.
19. Seoane's Newman and Barreti's Spanish Pronouncing Dictionary, New York, 1853.
20. Nuevo Diccionario de la Lengua Castellana, por una Sociedad Literaria, Paris, 1860.

A. P. WILBAR,
Surveyor General.

SURVEYOR GENERAL'S OFFICE,
Santa Fé, New Mexico, August 29, 1861.

May 3	To Philip Smith, clerk, fractional, fourth quarter	126 92			
June 30	To A. P. Wilbar, surveyor general, fourth quarter	750 00			
	To David J. Miller, translator, fourth quarter	500 00			
	To Thos. Means, draughtsman, fourth quarter	450 00			
	To Juan C. Tapia, clerk, fourth quarter	350 00			
	To Joseph Rose, clerk, fourth quarter	350 00			
	To C. B. Magruder, clerk, fractional, fourth quarter	223 08			
	Balance unexpended		2,750 00		
			167 09		
			11,000 00		11,000 00

A. P. WILBAR, Surveyor General.

SURVEYOR GENERAL'S OFFICE, Santa Fe, New Mexico, August 29, 1861.

VIII.

DR. *The United States in account with the surveyor general's office of New Mexico for the fiscal year ending June 30, 1861.* Cr.

INCIDENTAL EXPENSE ACCOUNT.

1860. August 29	To amount disbursements, fractional, 1st fiscal quarter.....	1860. Aug. 29 Oct. 26	By amount paid former surveyor general.....	1860. Aug. 29 Oct. 26
Sept. 30	To amount disbursements, fractional, 1st fiscal quarter.....	\$274 79	By treasury draft.....	\$274 79
Dec. 31	To amount disbursements, fractional, 2d fiscal quarter.....	153 32	By balance.....	1,000 00
1861. March 31	To amount disbursements, fractional, 3d fiscal quarter.....	576 87½		
June 30	To amount disbursements, fractional, 4th fiscal quarter.....	640 12½		
		538 17		
		2,183 28		2,183 28

A. P. WILBAR, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Santa Fe, New Mexico, August 29, 1861.

IX.

Statement exhibiting the names, grade in the office, State or Territory whence appointed, and rate of compensation per annum, of each person employed in the office of the surveyor general of New Mexico, during the fifteen months ending September 30, 1861.

Name.	Grade.	Native of—	Appointed from—	Compensation.	Remarks.
William Pelham	Surveyor general	Kentucky	Texas	\$3,000 00	Resigned August 29, 1860.
Alexander P. Wilbar	do	Virginia	New Mexico	3,000 00	Went into office August 29, 1860.
David V. Whiting	Translator	Venezuela	do	2,000 00	Resigned August 29, 1860.
Robert A. Matthews	Chief clerk	Georgia	Dist. of Columbia	2,000 00	Resigned September 30, 1860.
J. Howe Watts	Translator	Indiana	New Mexico	2,000 00	Appointed for three months, Oct. 1, 1860.
David J. Miller	Translator and chief clerk	Alabama	do	2,000 00	Appointed January 1, 1861.
Thomas Means	Draughtsman	Ireland	do	1,800 00	Resigned June 30, 1861.
Juan Clinco Tapia	Clerk, miscellaneous	New Mexico	do	1,300 00	Salary, \$1,300, after June 30, 1861.
José Epifanio Vigil	do	do	do	991 92	Discharged August 31, 1860.
John H. Mink	do	Prussia	do	991 92	Discharged August 31, 1860.
Philip Smith	do	Virginia	do	1,400 00	Discharged May 3, 1861.
Joseph Rose	Clerk, recording	Louisiana	Louisiana	1,400 00	Appointed October 1, 1860, and discharged June 30, 1861.
Charles B. Magruder	Draughtsman	Maryland	New Mexico	1,500 00	Appointed in place of Smith, May 4, 1861, and of Means, July 1, 1861.
James M. Edgar	Recording clerk	Kentucky	do	1,200 00	Appointed in place of Joseph Rose, July 1, 1861.
Felix Tapia	Messenger	Mexico	do	400 00	Pay, \$500, up to July 1, 1861.

A. P. WILBAR, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Santa Fé, New Mexico, August 29, 1861.

X.—THE RIO SAN JUAN REGION.

ANIMAS CITY, SAN JUAN CO.,

New Mexico, February 16, 1861.

DEAR SIR: Yours of the 31st ultimo, inquiring as to the character, resources, &c., of the valley of the San Juan river, has this day reached me. Having spent much of the past summer in exploring this valley, and having returned but yesterday from an exploration of the San Juan river to its confluence with the Rio Colorado, I take pleasure in placing in your hands all information at my disposal. I also send you per to-day's express field notes of the San Juan valley, that will be found approximately correct.

I was first induced to visit this valley from the belief that there were rich gold deposits in the Sierra la Plata range. In this I was not mistaken: an extended exploration during the summer verified the fact. The gold field of the Sierra la Plata range is about one hundred miles in length by twenty in breadth. Gold is present here under almost every combination of circumstances known to miners. The quartz leads are numerous, of immense magnitude, and unsurpassed in richness. Gold disintegrated from quartz is found in all the streams. This district is supplied most amply with water for mining purposes. The climate is such that the mining may be successfully conducted from six to eight months in a year. This range affords silver, copper, and iron in large quantities. From the great altitude of the Sierra la Plata range, heavy snows, with intense cold, prevail during several months high up in the mountains. The southern slope of this mountain range furnishes unsurpassed grazing, and is also heavily timbered. This section lies north of the Spanish trail and south of the summit of the range, and embraces an area drained by the San Juan of 4,000 to 6,000 square miles, 25 per cent. of which—the alluvial valleys of tributaries of San Juan—is good agricultural land. South of the Spanish trail the valleys of the San Juan and its tributaries are among the finest agricultural valleys upon the continent, and of large extent, averaging over two miles in breadth, and often widening to six miles. Climate exceedingly mild and pleasant; almost entirely free from snows. A very large percentage of table lands in vicinity of San Juan possess a fine soil, and are very fine pasturage. The valleys of the Rio de las Animas and San Juan are strewn with the ruins of cities, many of them of solid masonry. Stone buildings, three stories high, are yet standing, of Aztec architecture. An immense and prosperous population has at some former period resided here, and but few localities are capable of sustaining a more numerous one. Bituminous coal is found everywhere in the valley of the San Juan and its tributaries. Near the confluence of the La Plata and the San Juan, a break in the strata afforded me a fine opportunity of examining the coal seams, there being three; the upper one being about four feet in thickness, and within twenty feet of the surface; the second one separated from the first by sandstone, and six feet in thickness; the third seam ten feet thick, also separated by sandstone of very fine quality from other seams and about fifty feet from surface. Iron of almost virgin purity in the vicinity. The San Juan for the last twenty miles of its course flows through a deep cañon cut down through a plain, and this plain, south of the San Juan and east of the Colorado, embracing an area of several thousand square miles, is rarely equalled for grazing and agricultural purposes, with climate all that could be desired. Population is rapidly tending this way. Animas City is a town of twenty or thirty houses, and others are going up every day. Scarcity of provisions alone has prevented its being a town now of several thousand inhabitants. Population with supplies is rapidly arriving, and many farms being taken up and

improved * * * * *
 * * * * * An early survey of this valley would be of incalculable
 benefit.

I have the honor to be, very respectfully, your obedient servant,
 CHARLES BAKER.

General A. P. WILBAR.

No. 13 "F."

SURVEYOR GENERAL'S OFFICE,

Leavenworth, Kansas, September 2, 1861.

Sir: Conformably to usage, I herewith transmit the annual report of the operations of this office during the past year.

OFFICE WORK.

Field notes, folios transcribed.....	18,779
Instructions issued and recorded.....	90
Letters written and recorded.....	667
Letters received and registered.....	700
Descriptive lists prepared and forwarded.....	76
Accounts prepared in duplicate.....	174

The field notes of the surveys executed prior to June 30, 1859, have been substantially bound, and as there is an unexpended balance of the appropriation of \$1,000, amounting to \$515, applicable to this service, I would recommend that the same be applied to binding in a similar manner the field notes of surveys since executed.

EXTENSION OF SURVEYS.

As it is believed that a disposition exists among the Cherokee Indians to dispose of the neutral lands, it is earnestly recommended that measures be taken as early as is compatible with the public interests to extinguish the Indian title to these lands. The northern portion has already been densely settled under the belief that the northern boundary of these lands was 12 miles south of the 5th standard parallel. The "Drywood Settlement" alone is represented to contain three or four hundred settlers, who have, at an outlay of all the means they possessed, made many valuable improvements. Similar improvements, though to a less extent, have also been made upon the Osage Indian reservation, embraced within a strip along the north boundary, eight miles wide, extending from the Cherokee neutral lands west to the 6th principal meridian. This tribe is understood to be also anxious to dispose of the eastern portion of their reservation.

No appropriation is asked for the survey of these lands, as, should the Indian title be extinguished at an early day, a portion of the amount asked for other surveys could advantageously be expended in the prosecution of these in preference to lands more remote. In urging this matter upon the consideration of the department, it is only justice to the settler, whom it is intended to benefit, to state that many of them are at this moment enrolled under the flag of the Union, and actively engaged in upholding and guarding its honor. They confidently look to the government to secure to their wives and children, in case of their deaths, the humble homes that they have expended their limited means in creating. But these are not all who expect homes from the bounty of Congress. There are at this day engaged in putting down rebellion at least five hundred thousand men,

who reasonably hope that after this gigantic rebellion shall be subdued they also will receive from the generous hand of Congress a donation of 160 acres of land each; and the question naturally arises, Where is the surveyed land upon which they are to locate the future homes of themselves and families? Not in the seceded States in any event, but among their compatriots in the free States and Territories east of the Rocky mountains. The larger portion of the surveyed lands belonging to government being in the States of Arkansas, Mississippi, Louisiana, Florida, and the Territories west of the Rocky mountains, where, it is to be presumed, few of our volunteers would wish to settle, while in Kansas and Nebraska, to meet the demand that will assuredly be made, there is about eighteen million acres of surveyed land undisposed of, sufficient to locate only 112,500 land warrants of the 500,000 which will doubtless be awarded to the troops now in the field, beside the hundreds daily fleeing into Kansas for refuge from Arkansas, Texas, and Missouri, and who, in most instances, design making permanent homes upon her soil. To compel our brave soldiers to go to Oregon, Washington, California, Utah, or New Mexico, to locate their warrants, not one in a thousand but would prefer sacrificing their land to some rapacious speculator, for the reason that the tendency of emigration on the part of those who seek new homes for agricultural purposes do not look in that direction. If the patriotic soldiers were told, upon being mustered out of service, that as a reward for their toil and patriotism they would be permitted to locate 160 acres of land amid the pines and scrub-oaks of Washington Territory or the everglades of Florida, their manhood would esteem such an offer as an insult to their patriotism rather than a substantive reality conferred by their country. They could not consider it as a reward for their courage and loyalty in aiding to sustain the laws, the Constitution, and the Union. Kansas offers them a cordial invitation to make their future homes upon her rich and fertile lands, and thousands will accept her invitation for every hundred that seek elsewhere an abiding place.

I would also call the attention of the government to the probable working of the "homestead bill," should such become a law. While all are anxious that the patriotic citizen should reap its benefit, none are willing that those now in arms against the government shall, after the war is terminated, enjoy equal advantages with those whose pulse has ever beat true to the Union. It is true that the administration, by the Chicago platform, is pledged to the "free homestead policy;" but, in view of the large number now in the service, and daily augmenting, and engaged in opposing the present rebellion, I would, in lieu of the homestead policy, recommend the bounty land policy; by the latter our true and loyal citizens, or their heirs, alone will enjoy the benefit of the bounty.

I would here remark, that out of the eighteen million acres of surveyed lands in Kansas there are already appropriated by the Pawnee Railroad Company 223,891 acres, and 1,782,960 acres donated to Kansas for school purposes out of lands now surveyed, and 98,500 acres for other purposes reduces the amount to only 15,894,589 acres.

In designating the portion of country over which the lines of the public surveys should be extended, I have had in view the fact that the lands adjacent to the great thoroughfares are the first seized upon by the settler as affording a ready market for much of his produce; and next in value are the lands in close proximity to timber and water, even if remote from the travelled routes to the Pacific.

Entertaining these views, I have not hesitated to ask for such an appropriation as will place the surveys in this district in such a state of forwardness as will be adequate to any demand that will probably be made upon it.

Very respectfully, your obedient servant,

MARK M. DELAHAY,

Surveyor General of Kansas and Nebraska.

HON. J. M. EDMUNDS,

Commissioner General Land Office, Washington City.

The annexed statements exhibit in detail—

1. The receipts and expenditures of this office, for rent of office, incidentals, &c., during the fiscal year ending September 30, 1861.

2. The amount expended for salary of surveyor general and clerk hire during the same period.

3. Statement exhibiting total expenses of surveyor general's office during the fiscal year ending June 30, 1861.

4. The amount paid for examination of surveys in the field during the same period.

5. The amount of retained percentage refunded deputies during the same period.

6. Number of township plats, and area covered by same, transmitted to the district land offices in Kansas.

7. Number of township plats of Indian reservations and trust lands, and area covered by same, transmitted to the General Land Office.

8. Number of township plats, and area of same, transmitted to the district land offices in Nebraska.

9. Extent of and probable cost of surveys to be executed under the appropriation of March 2, 1861, in Kansas.

10. Same in Nebraska.

11. The number, names, and compensation of clerks employed during the year ending September 30, 1861.

12. Estimate of sums required for the extension of the public surveys during the year 1863.

13. Estimate of sums required for office expenses during the fiscal year ending June 30, 1863.

14. A tabular statement of contracts, the surveys under which have been reported to this office, during the past year in Kansas.

15. Same in Nebraska.

16. Connected diagrams showing surveys in Kansas and Nebraska.

No. 1.

Receipts of the office during the fiscal year ending June 30, 1861.

Quarter ending September 30, 1860.....	\$769 01
December 31, 1860.....	350 00
March 31, 1861.....	
June 30, 1861.....	
Total.....	1,109 01
<i>Expenditures during the same period.</i>	
Quarter ending September 30, 1860.....	462 75
December 31, 1860.....	896 53
March 31, 1861.....	637 34
June 30, 1861.....	609 90
Balance unexpended from appropriation of 1861.....	656 49
Total.....	3,263 01

No. 2.

The sums expended for salary of surveyor general and clerk hire during the fiscal year ending June 30, 1861, were as follows:

Quarter ending September 30, 1860	\$2,374 81
December 31, 1860	2,325 00
March 31, 1861	2,325 00
June 30, 1861	2,269 23
Total	9,298 03

No. 3.

Statement exhibiting total expenses of surveyor general's office during the fiscal year ending June 30, 1861.

Salary of surveyor general and compensation for clerks, quarter ending September 30, 1860	\$2,378 81
Same, for quarter ending December 31, 1860	2,325 00
March 31, 1861	2,325 00
June 30, 1861	2,269 23
Rent of office and incidental expenses, as per account rendered	2,606 52
Total	11,904 55

No. 4.

Statement showing amount paid examiners in the field during the year ending September 30, 1861.

No.	Examiner.	Date of instructions.	Date of accounts.	Amount.	Total.	Remarks.
255	Charles W. Pierce.....	Nov. 17, 1860	Dec. 7, 1860	\$198 00	\$198 00	Confidential agent.
256	Felix G. Herbert.....	Sept. 21, 1860	Jan. 7, 1861	147 00	-----	Retained percentage.
257	do.....	do.....	do.....	147 00	294 00	Do.
258	do.....	do.....	do.....	104 12	-----	Do.
	do.....	do.....	do.....	104 12	208 24	
Total				-----	700 24	

No. 5.

Statement showing amount paid deputies for balance of retained percentage, after deducting expenses incurred for examination in the field, for the year ending September 30, 1861.

No.	Deputy.	Account adjusted.	Amount.
13	William N. Byers	Dec. 31, 1860	\$32 66
20	Clifton L. Burge	July 24, 1861	1 69
44	Alexander Oliphant	Oct. 30, 1860	3 95
55	Williamson G. Allen	do	28 49
85	William S. Caldwell	Dec. 13, 1860	2 75
85	do	do	5 79
104	James Withrow	Oct. 30, 1860	6 99
104	do	do	11 53
107	William Spencer	do	24
107	do	do	56
111	Samuel Parsons	Dec. 13, 1860	49
116	David T. Mitchell	do	5 00
193	Williamson G. Allen	Oct. 30, 1860	41 93
193	Alexander Oliphant	do	25 85
194	Clifton L. Burge	July 24, 1861	8 69
150	George M. Tillford	Dec. 13, 1860	4 35
159	Shepard & Diefendorf	Oct. 30, 1860	7 29
160	Jacob K. Starr	Dec. 13, 1860	4 25
171	William P. Fain	Oct. 30, 1860	4 87
192	Alexander Oliphant	do	90 25
224	James F. Hansbrough	Dec. 13, 1860	1 76
229	William D. Latchaw	Oct. 30, 1860	5 04
232	Charles A. Manners	do	76
235	John K. Cook	do	62 45
240	Silas F. Hall	Dec. 13, 1860	2 34
243	Thomas W. Wheatley	do	55 05
246	Charles Turner	Jan. 5, 1861	73 41
255	Thomas F. Campbell	Feb. 19, 1861	2 96
256	Ed. M. Kennedy	do	2 96
258	William T. Starr	Not adjusted	12 93
257	James A. Brown	do	21 45
263	Charles Turner	Dec. 13, 1860	1 83
265	Thomas W. Wheatley	do	4 01
276	Diefendorf & Thompson	March 2, 1861	136 26
Inst.	Charles A. Manners	Oct. 30, 1860	34 05
Inst.	Bates & Mitchell	April 12, 1861	21 21
Inst.	do	do	7 47
Inst.	do	do	96
Inst.	Alexander Oliphant	do	9 72
Inst.	Williamson G. Allen	March 27, 1861	40 50
Inst.	James Withrow	do	15 92
Inst.	do	do	8 96
Inst.	do	do	43 37
	Total		851 97

In addition to the above, the following accounts have been forwarded either to the General Land Office or to the deputy for his signature :

No.	Deputy.	Where sent.	Amount.
Inst.	Felix G. Herbert.....	Deputy.....	\$0 04
Inst.	Charles W. Pierce.....	Washington.....	4
Inst.	James D. White.....	do.....	1 32
Inst.	do.....	do.....	3 69
Inst.	do.....	do.....	2 73
Inst.	Edmund O'Flaherty.....	do.....	24 60
Inst.	do.....	do.....	32 09
2	Joseph Ledley.....	Deputy.....	2 39
153	Brady & Harwood.....	do.....	6
	Total.....		66 95

No. 6.

Statement showing description of lands, and area of same, for which township plats have been transmitted to the western land office, Kansas, during the year ending September 30, 1861.

Township.	Range.	Area.
6 south.....	3 west.....	22,510.01
7 south.....	3 west.....	22,978.69
8 south.....	3 west.....	22,977.69
6 south.....	4 west.....	22,414.62
7 south.....	4 west.....	23,059.17
8 south.....	4 west.....	23,143.84
7 south.....	5 west.....	23,072.81
8 south.....	5 west.....	23,006.27
9 south.....	5 west.....	23,025.76
1 south.....	1 west.....	22,949.95
2 south.....	1 west.....	22,952.16
3 south.....	1 west.....	22,896.15
4 south.....	1 west.....	22,889.61
1 south.....	2 west.....	23,243.15
2 south.....	2 west.....	23,078.94
3 south.....	2 west.....	23,051.29
4 south.....	2 west.....	23,119.96
1 south.....	3 west.....	23,085.81
2 south.....	3 west.....	22,864.94
3 south.....	3 west.....	22,924.50
4 south.....	3 west.....	23,002.91
10 south.....	5 west.....	23,102.61
10 south.....	4 west.....	23,050.66
9 south.....	4 west.....	23,119.15
9 south.....	3 west.....	23,002.71
10 south.....	3 west.....	23,053.40
11 south.....	3 west.....	22,960.06
12 south.....	3 west.....	23,025.74
11 south.....	2 west.....	22,785.19
12 south.....	2 west.....	22,991.81
11 south.....	1 west.....	22,899.43

No. 6.—Continued.

Township.	Range.	Area.
6 south	5 west	22, 552. 84
21 south	3 west	22, 775. 82
22 south	3 west	22, 893. 69
21 south	4 west	22, 679. 28
22 south	4 west	22, 835. 52
(36 township plats.)		
Total forwarded during the year		826, 976. 14
Previously reported		5, 253, 339. 40
Total in district		6, 079, 315. 54

No. 6.—Continued.

Statement showing the description of lands, and area of same, for which township plats have been transmitted to the Osage land office, Kansas, during the year ending September 30, 1861.

Township.	Range.	Area.
26 south	1 east	15, 425. 25
26 south	2 east	15, 451. 26
26 south	3 east	15, 525. 37
26 south	4 east	15, 491. 11
26 south	5 east	15, 418. 52
26 south	6 east	15, 426. 49
26 south	7 east	15, 492. 93
26 south	8 east	8, 196. 98
24 south	1 west	22, 969. 08
25 south	1 west	22, 953. 75
23 south	2 west	23, 000. 06
24 south	2 west	22, 996. 73
25 south	2 west	22, 162. 12
23 south	3 west	22, 954. 91
24 south	3 west	22, 578. 28
25 south	3 west	22, 085. 92
23 south	4 west	22, 941. 12
(17 plats.)		
Total forwarded during the year		321, 469. 88
Previously reported		913, 002. 07
Total in district		1, 234, 471. 95

No. 7.

Statement of plats of the Sac and Fox diminished reserve and trust lands forwarded (in duplicate) to Washington for the year ending September 30, 1861.

Township.	Range.	Areas of trust lands.	Areas of diminished reserve.
16 south.....	16 east.....	-----	22,668.48
17 south.....	14 east.....	23,052.14	-----
17 south.....	17 east.....	6,751.26	16,317.26
18 south.....	18 east.....	17,265.58	-----
19 south.....	14 east.....	5,530.47	-----
19 south.....	15 east.....	4,004.31	1,914.96
19 south.....	16 east.....	-----	6,013.94
19 south.....	17 east.....	1,821.36	4,065.76
19 south.....	18 east.....	4,395.19	-----
15 south.....	13 east.....	1,609.20	-----
15 south.....	14 east.....	1,759.07	-----
15 south.....	15 east.....	1,211.59	677.82
15 south.....	16 east.....	-----	1,969.01
15 south.....	17 east.....	740.48	1,340.64
15 south.....	18 east.....	1,378.43	-----
17 south.....	15 east.....	15,757.60	7,023.38
17 south.....	16 east.....	-----	22,657.99
17 south.....	18 east.....	17,160.43	-----
18 south.....	13 east.....	21,252.55	-----
18 south.....	14 east.....	23,001.72	-----
18 south.....	15 east.....	15,726.42	7,215.18
18 south.....	16 east.....	-----	22,845.31
18 south.....	17 east.....	6,996.77	16,037.63
19 south.....	13 east.....	4,779.88	-----
16 south.....	13 east.....	20,863.34	-----
16 south.....	14 east.....	23,088.47	-----
16 south.....	15 east.....	15,749.08	6,969.52
16 south.....	17 east.....	6,590.00	16,280.54
16 south.....	18 east.....	16,723.24	-----
17 south.....	13 east.....	20,991.31	-----
(30 plats) Total.....	-----	278,199.89	153,997.42

No. 7—Continued.

Statement of plats of the Delaware diminished reserve and trust lands forwarded (in duplicate) to Washington for the year ending September 30, 1861.

Township.	Range.	Areas of trust lands.	Areas of diminished reserve.
10 south.....	17 east.....	5,889.57	-----
10 south.....	18 east.....	22,239.41	-----
10 south.....	19 east.....	21,864.99	-----
10 south.....	22 east.....	19,948.39	-----
11 south.....	17 east.....	3,164.76	-----
11 south.....	21 east.....	18,840.12	3,840.00
12 south.....	23 east.....	-----	1,617.94

No. 7—Continued.

Township.	Range.	Areas of trust lands	Areas of diminished reserve.
13 south.....	21 east.....	.....	87.29
10 south.....	20 east.....	21,257.13	.....
10 south.....	21 east.....	20,589.41	.....
11 south.....	22 east.....	7,199.14	15,077.76
10 south.....	23 east.....	4,980.41	14,074.08
10 south.....	24 east.....	.10	4,763.36
11 south.....	18 east.....	14,418.63	.....
11 south.....	19 east.....	21,360.18	.....
11 south.....	20 east.....	22,242.68	.....
11 south.....	23 east.....	.....	19,650.53
11 south.....	24 east.....	.....	8,433.09
12 south.....	19 east.....	2,883.60	.....
12 south.....	20 east.....	15,070.50	2,329.40
12 south.....	21 east.....	1,941.92	16,186.74
12 south.....	22 east.....	.....	13,032.32
(22 plats.)	.....	.....	.....
Total.....	.....	223,890.94	100,092.41

No. 7—Continued.

Statement of plats of the Kansas Indian reservation and trust lands forwarded (in duplicate) to Washington for the year ending September 30, 1861.

Township.	Range.	Areas of trust lands.	Areas of diminished reserve.
14 south.....	8 east.....	6,727.84	.....
15 south.....	8 east.....	24,495.20	.....
16 south.....	8 east.....	13,692.28	10,663.92
17 south.....	8 east.....	.....	24,459.37
18 south.....	8 east.....	.....	1,594.64
14 south.....	9 east.....	6,401.91	.....
16 south.....	9 east.....	23,040.68	.....
16 south.....	9 east.....	12,911.58	10,015.47
17 south.....	9 east.....	.....	23,049.96
18 south.....	9 east.....	.....	1,513.24
14 south.....	10 east.....	6,383.86	.....
15 south.....	10 east.....	22,999.73	.....
16 south.....	10 east.....	20,196.48	2,642.41
17 south.....	10 east.....	16,841.81	6,127.03
18 south.....	10 east.....	856.06	343.02
14 south.....	11 east.....	1,727.02	.....
15 south.....	11 east.....	6,371.56	.....
16 south.....	11 east.....	6,379.68	.....
17 south.....	11 east.....	6,398.43	.....
18 south.....	11 east.....	328.84	.....
Total.....	.....	175,652.95	80,409.06



No. 8.

Statement showing description of lands, and area of same, for which township plats have been transmitted to the South Platte land office, Nebraska Territory, during the year ending September 30, 1861.

Township.	Range.	Area.
7 north	16 west.....	22,939.07
8 north	16 west.....	11,472.70
7 north	15 west.....	13,987.90
8 north	15 west.....	1,929.98
7 north	14 west.....	13,860.71
8 north	14 west.....	2,248.68
7 north	13 west.....	23,036.19
7 north	12 west.....	23,015.61
7 north	11 west.....	22,824.68
8 north	11 west.....	22,822.85
7 north	10 west.....	23,029.69
8 north	10 west.....	23,061.72
7 north	9 west.....	21,049.71
8 north	9 west.....	20,871.87
(14 plats.)		
Total forwarded during the year.....		246,151.36
Previously reported.....		2,785,129.54
Total in district.....		3,031,280.90

No. 8—Continued.

Statement showing description of lands, and area of the same, for which township plats have been transmitted to the Nemaha land office, Nebraska Territory, during the year ending September 30, 1861.

Township.	Range.	Area.
5 north	6 west.....	22,991.98
6 north	6 west.....	22,936.51
5 north	5 west.....	23,034.32
5 north	11 west.....	23,055.78
6 north	11 west.....	23,016.59
5 north	10 west.....	23,030.48
6 north	10 west.....	23,021.89
5 north	9 west.....	21,207.93
6 north	9 west.....	21,173.69
(9 plats.)		
Total forwarded during the year.....		203,470.17
Previously reported.....		2,373,262.91
Total in district.....		2,576,733.08

RECAPITULATION.

Total area reported in Kansas	14,246,004.69
Total area reported in Nebraska.....	9,865,297.17
Total (whole number of plats 133).....	24,111,301.86

No. 9.

Statement showing the estimated expenses, number of miles, and character of work for which contracts have been entered into for surveys in Kansas, and chargeable to the appropriation for such surveys of March 2, 1861.

No.	Deputy.	Township lines.	Section lines.	Rate.	Estimated cost.
288	McKee & Irwin	-----	660	\$5 00	\$3,300 00
291	Abraham Ray	-----	600	5 00	3,300 00
	Total	-----	1,260	-----	6,300 00

No. 10.

Statement showing the estimated expenses, number of miles, and character of work for which contracts have been entered into for surveys in Nebraska, and chargeable to the appropriation for such surveys of March 2, 1861.

No.	Deputy	Township lines.	Section lines.	Rate.	Estimated cost.
290	Silas L. Norris	396	-----	\$7 00	\$2,772 00
289	Douglass & McCarthy	-----	540	5 00	2,700 00
	Total	396	540	-----	5,472 00

No. 11.

Statement showing the names and duties of persons employed in the office of surveyor general of Kansas and Nebraska during the year ending September 30, 1861.

Names.	Duty.	Whence appointed.	Term of service.	Salary.
Ward B. Burnett	Surveyor general	New York	September 30, 1860, to May 14, 1861	\$2,000 00
Mark W. Delahay	do	Kansas	May 13 to October 1, 1861	2,000 00
George C. Vansant	Chief clerk	Nebraska	Entire year	1,600 00
Andrew W. Pentland	Accountant	do	September 30, 1860, to June 12, 1861	1,300 00
Henry Smith	Accountant and copyist	Kansas	June 17 to October 1, 1861	1,300 00
Edgar E. Mason	Principal draughtsman	Virginia	September 30, 1860, to April 25, 1861	1,200 00
Henry C. F. Hackbusch	do	Nebraska	April 25 to October 1, 1861	1,200 00
C. O. Whitman	Draughtsman	do	Entire year	1,100 00
Charles B. Bamedell	Clerk	Indiana	September 30, 1860, to June 19, 1861	1,100 00
Albert Gaines	do	Massachusetts	September 30, 1860, to May 23, 1861	1,100 00
Clark J. Hanks	do	Illinois	May 22 to October 1, 1861	1,100 00
John Melvin	Messenger and laborer	New York	September 30 to November 10, 1860	600 00
William M. Hill	do	Missouri	November 9, 1860, to February 11, 1861	600 00
Patrick Coyle	do	Nebraska	February 11 to June 27, 1861	600 00
James Bicknell	do	Kansas	June 27 to October 1, 1861	600 00

No. 12.

Estimate of sums required for the extension of public surveys during the fiscal year ending September 30, 1863.

KANSAS.

For the extension of the second and third guide meridian west from base line to the fifth standard parallel south—300 miles, at \$12 per mile	\$3,600
For the extension of the first, second, third, fourth, and fifth standard parallel south from the first to the third guide meridian west—500 miles, at \$12 per mile	6,000
Exterior line between the base line and fifth standard parallel south and the first and third guide meridian west—say, 4,040 miles, at \$7 per mile	28,280
Exterior lines between the third and fourth standard parallel south and the sixth principal and first guide meridian west—say, 402 miles, at \$7 per mile	2,814
Subdivisions and meanders of 108 townships—say, 6,800 miles, at \$5 mile	34,000
Total for Kansas	74,694

NEBRASKA.

For the extension of the second guide meridian west from the second standard parallel north to the Neobrarah river—say, 150 miles, at \$12 per mile	\$1,800
For the extension of the third guide meridian west from the base line to the second standard parallel north—48 miles, at \$12 per mile	576
For the extension of the third, fourth, fifth, sixth, and seventh standard parallels north from the first to the second guide meridian west—say, 250 miles, at \$12 per mile	3,000
For the extension of the eighth standard parallel north from the second guide meridian west east to the Neobrarah river—say, 30 miles, at \$12 per mile	360
For the extension of the first and second standard parallels north from the second to the third guide meridian west—96 miles, at \$12 per mile	1,152
Exterior lines between the third standard parallel north and the Neobrarah river and the first and second guide meridian west—say, 1,900 miles, at \$7 per mile	13,300
Exterior lines between the base line and the second standard parallel north and the second and third guide meridian west—624 miles, at \$7 per mile	4,368
Exterior lines between the base line and the first standard parallel north and the first and second guide meridian west—312 miles, at \$7 per mile	2,184
Exterior lines between the first and second standard parallel north, and range five west, and the first guide meridian west—42 miles, at \$7 per mile	294
Exterior lines between the third standard parallel north and the Pawnee reserve, and from range three west, to the first guide meridian west—say, 126 miles, at \$7 per mile	882

Exterior lines between the Pawnee reserve and the fifth standard parallel north, and from range three west to the first guide meridian west—say, 144 miles, at \$7 per mile.....	\$1,008
Exterior lines between the fifth and sixth standard parallel north and the sixth principal meridian and first guide meridian west—624 miles, at \$7 per mile.....	4,368
Subdividing of 125 townships and meanders therein—say, 8,400 miles, at \$5 per mile	42,000
Total for Nebraska	<u>75,292</u>

Recapitulation.

Estimate for the extension of surveys in Kansas.....	\$74,694
Estimate for the extension of surveys in Nebraska.....	75,292
Total	<u>149,986</u>

No. 13.

Estimate of sums required for office expenses for the fiscal year ending June 30, 1863.

Salary of surveyor general.....	\$2,000
Salary of chief clerk	1,600
Salary of accountant	1,300
Salary of principal draughtsman.....	1,200
Salary of two draughtsmen, at \$1,100 each.....	2,200
Salary of four clerks, at \$1,100 each.....	4,400
Rent and incidental expenses.....	3,000
Total	<u>15,700</u>

No. 14.—Statement exhibiting the extent and cost of surveys executed in Kansas during the year ending September 30, 1861.

No.	Deputy.	Style.	Standard lines.	Township lines.	Section lines.	Appropriation.	Date of contract or instruction.	Rate	Am't for per diem mileage.	Total.	Remarks.
281	James Withrow	Standard	Mr. Cha. L. B.	Mr. Cha. L. B.	Mr. Cha. L. B.	June 25, 1860.	Aug. 6, 1860	\$19 00	948 50	.....	
281	do	Township	4 03 91	431 47 49	.....	do	do	7 00	3,081 15	.....	
282	do	Indian boundary	.....	.....	.....	do	do	.....	.....	.....	
283	Denman & McCarthy	Township	.....	78 09 86	.....	Trust fund	Aug. 27, 1860	7 00	546 86	.....	Retracing N. boundary of Osage reserve.
283	do	Section	.....	1,139 53 98	.....	do	do	5 00	5,648 31	.....	
283	do	Indian boundary	.....	.....	.....	do	do	.....	.....	.....	
285	Spencer, Simpson & Brighthurst	Township	.....	4 07 76	.....	do	Oct. 16, 1860	7 00	98 66	.....	Establishing E. and W. boundary of the Sac and Fox dim'd reservation.
285	do	Section	.....	.....	924 03 04	do	do	5 00	4,618 94	.....	
286	do	Indian boundary	.....	.....	.....	do	do	.....	.....	.....	
286	Stuck & Hill	Section	.....	.....	1,143 17 89	June 25, 1860	Sept. 31, 1860	5 00	637 50	.....	Establishing N. and W. boundary of the Delaware dim'd reservation.
287	Mackey & Berry	Township	.....	.....	100 36 01	Trust fund	Dec. 13, 1860	7 00	5,705 49	.....	
287	do	Section	.....	.....	643 33 59	do	do	5 00	3,913 03	.....	
288	do	Indian boundary	.....	.....	.....	do	do	.....	.....	.....	
288	do	Section	.....	.....	467 20 57	Defcy. appropriation, May 24, 1860.	July 2, 1858	5 00	310 00	.....	Establishing N. and E. boundary of Kansas dim'd reservation.
287	James A. Brown	do	.....	.....	89 09 40	do	do	5 00	410 59	.....	
			4 03 91	614 31	104,337 56 34	.....	.....	.....	26,940 07	1,767 50	98,067 57

No. 15.—Statement exhibiting the extent and cost of surveys executed in Nebraska during the year ending September 30, 1861.

No.	Deputy.	Style.	Township.	Section.	Appropriation	Date of contract or instructions.	Rate.	Mileage.	Per diem.	Total.	Remarks.
280	Nathan P. Cook	Township	Mr. Cha. L. B.	Mr. Cha. L. B.	June 25, 1860	Aug. 6, 1860	\$7 00	\$2,359 64	.....	\$2,359 64	
282	Quince & Clark	Section	.....	712 36 30	.....	Aug. 15, 1860	5 00	3,823 43	.....	3,823 43	
284	William L. Spalding	do	.....	370 14 63	do	Sept. 5, 1860	5 00	1,850 91	.....	1,850 91	Work returned, and office-work partly completed.
			337 07 23	1,083 53 53	.....	.....	.....	7,778 96	.....	7,778 96	

* Per diem.

No. 13 G.

SURVEYOR GENERAL'S OFFICE,
St. Paul, October 19, 1861.

SIR: I have the honor to submit the following report of the work performed in the surveying district since the date of the last annual report made by my predecessor in October, 1860; together with the several statements, estimates, accounts, and map usually accompanying the same, and required by your instructions of June 28, 1860, (to which your letter of June 12, 1861, referred me,) to be made in triplicate.

On taking charge of this office, in April last, I found all the field-work undertaken under the appropriation for carrying forward the public surveys for the fiscal year ending June 30, 1861, had been completed, and the clerical force engaged in bringing up the office-work, a large amount of which appeared to be in arrears. The whole of the office force engaged by me was employed up to the 30th of June—the end of the last fiscal year—on such arrears of office-work; and the reduced force of the office, made necessary under your instructions of May 8, have since been principally engaged thereon until returns were received of the surveys undertaken the present season.

Of the field-work contracted for this season, under the appropriation for carrying forward the public surveys for the fiscal year ending June 30, 1862, partial returns have been received of a portion of the subdivisional contracts. Of the two contracts entered into for the establishment of township lines, one has been fully completed, the notes returned, examined, and approved; the other has also been completed, the deputy left the field and returned a portion of his notes.

From information received from the remaining parties I have no doubt the whole work will be finished, and the notes returned, within a very short time.

I would recommend for the surveying operations to be carried forward during the season of 1862, the extension of the 3d guide meridian some 54 miles north, connecting same with the independent meridian east, by the establishment of the 6th and 7th connexion lines; the running out the township lines of a portion of this section and the subdivision of some 54 townships therein; also the extension of the 10th standard parallel from the 4th to the 3d guide meridian, with the running out the township lines between those guides and the 9th and 10th standards, and the subdivision of about 34 townships within the same, and immediately west of the 4th guide. I consider the foregoing section of country as calling for the establishment of the public surveys therein as early as practicable, it being of great importance to the public interest with respect to their sale, in consequence of its embracing the principal portion of the pine timber land at present unsurveyed in the State, (so far as explored,) and in which the extensive lumbering operations in the State are now being carried on. This land being valuable principally for its pine timber, its importance in that regard, from the depredations that are yearly being committed upon it, is rapidly decreasing; whereas by extending the lines of the public surveys over it as early as possible, I have no doubt—and I speak from personal knowledge as well as from the evidence of others interested in and thoroughly acquainted with the lumber trade of Minnesota—large tracts would be taken up immediately if the lands were brought into market or open to entry.

I have estimated for the subdivision of 15 townships in the northwestern section of the State as being I consider necessary to meet the demands of various settlements which are springing up in the vicinity of the important and much travelled route to the Red river and the northwest.

The only other surveys which I consider at present called for in this State, and for which I have estimated, as required in consequence of the advance of settlements for agricultural purposes, are in the southwestern part of the State; they comprise the establishment of a check of township lines between the Iowa

line and first standard parallel and from the 5th guide to the western boundary, with the subdivision of about 35 townships in same and the check immediately north.

In the strong hope that the full amount estimated for carrying forward the surveys in 1862 will be appropriated at the ensuing session of Congress, I have, in my estimates for salaries, included, beyond the present reduced clerical force of this office, three additional clerks, which would be absolutely necessary to keep up the office with the field work of those surveys; and I consider this increase is most necessary and called for, and should be made, even with a less amount of field-work than that now recommended, in order to complete the arrears of certain office-work required by statute, and which has been recently partially suspended, under instructions from the department, (but which will again be proceeded with after the work connected with the present season's surveys shall be completed,) and also that a portion of the clerical force will be necessarily engaged on work connected with the grant of swamp lands to the State.

On referring to the instructions from the department with respect to the examination of surveys in the field, I find that such inspection is not deemed necessary or expedient, unless from the evidence of the notes returned, or from information from other sources, there may be doubt as to the faithful execution of any of the work contracted for and reported as complete. I have not, therefore, deemed it my duty to make any extended examination of the surveys carried forward the present season, but I considered it indispensably necessary to send one of the clerks from this office (it being impossible for me at the time to be absent from my official duties) to partially inspect the work contracted for in consequence of a majority of the contractors being newly appointed deputies, who, although men of experience in their profession, and fully competent to perform the work, had never had a contract on the public surveys. It is found, from the inspection of the work done in the southwestern part of the State, that, with one exception, it has been executed in the most correct and faithful manner, and in strict accordance with the requirements of the surveying instructions; the exception consists in the incomplete construction of some of the mounds examined on one contract, the lines themselves being correctly run. I shall deem it my duty, in the case referred to, to retain a portion of the contractor's account to meet the expense of a more thorough examination of the mounds in his contract, and where necessary to reconstruct them.

While confining myself to a partial examination only of this season's work, I would desire to express my conviction that it is highly desirable, in order to insure a faithful and strict adherence on the part of contractors to their duty, that they should feel that their work will be closely and critically inspected, and that before their final accounts are passed upon. I deem this course the best and only safe one to secure a faithful and correct survey of the public lands, and as being the truest economy on the part of the government under the present system of surveying by contract.

On taking charge of this office I informed the department that, for the comfort and convenience of the office, certain expenses would require to be incurred in carpets, office furniture, &c.; but in consequence of some difficulty, and consequent delay, in the settlement of the ownership of the building occupied solely by this and the St. Paul post office, such expenditure has only recently been made, after having secured from the owners a thorough renovation of the offices by painting and papering, with a lease for their further occupation for three years from 1st July last, at a rental of only \$400 per annum, or one-half that previously paid. The accounts for these expenditures, as well as those for the winter's supply of fuel, messenger's salary, and rent, have, in accordance with the instructions from the department of a change having been made in the payment of such expenses, been forwarded for adjustment, and direct payment by the Treasurer of the United States, instead of, as heretofore, out of funds placed in the surveyor general's hands for that purpose.

The following is a summary of the principal items of office-work performed since the date of the last annual report:

Twenty-four township plats have been constructed from the original field-notes, and one copy of the same transmitted to the General Land Office; twenty-one plats made and transmitted to the registers of the district land offices; twenty-six record plats, to replace worn originals, and fifteen township and fractional township plats made for the use of the commissioners of the Winnebago reservation; making a total of one hundred and ten township plats.

The original notes of six hundred and seventy-one miles of guide meridians, standard parallels, and township lines, have been examined and platted, and diagrams of the same transmitted to the General Land Office.

The original notes of one thousand six hundred and ninety-seven miles of subdivisions, including three hundred and eighty-eight miles of meander lines, have been examined and carefully platted, and the contents of all the fractional lots calculated and placed on the maps and copies of same.

The boundaries of the Fond du Lac reservation, on the St. Louis river, as changed by the survey under the Indian department from that formerly made by this office, have been laid down on the State maps and on those township maps through which the southern boundary passes, the contents of the lots made fractional thereby calculated, and the proper diagrams transmitted to the General Land Office and district land offices.

There have been prepared from the original notes, and carefully compared with the same, descriptive notes of the establishment of the corners with the character of the soil, timber, &c., of thirty-nine townships and fractional townships, for transmission to the district land offices—eighty-nine for record and reference in this office, and fifteen for the commissioners of the Winnebago reservation; making a total of one hundred and forty-three.

There have been transcribed, for preservation at the seat of government, two thousand two hundred and ninety-eight pages of field-notes of surveys, including both subdivisions and guide meridians, standard parallels, and township lines, on large-sized cap paper, the same carefully compared and completed for binding, with index diagrams and title page to each township, together with eleven thousand six hundred and four pages of records of like character for reference and transfer to the State authorities, as required by act of Congress.

The usual amount of miscellaneous business has been performed; such as preparing contracts and bonds, (in quadruplicate,) with instructions and diagrams of the exterior boundaries of their surveys, for deputies; making out and recording their accounts and the accounts with the government; the general correspondence of the office, and recording the same; examining and recording special surveys of islands, reservations, &c., together with other work; all of which occupies a large amount of time, but of which no regular or detailed statement can well be given.

The several statements and maps accompanying and referred to in this report are as follows:

A.—The amount, character, locality, and present condition of the surveys in the field.

B.—Original, commissioners', and registers' plats made and copied, with date of transmission.

C.—Estimate of appropriations for surveys for the fiscal year ending June 30, 1863.

D.—Estimate of appropriation for salaries of surveyor general and clerks for the fiscal year ending June 30, 1863.

E.—Abstract account of disbursements for the year ending September 30, 1861.

F.—Sketch of the public surveys in Minnesota.

I am, very respectfully, your obedient servant,

W. D. WASHBURN, *Surveyor General*.

A.

Statement showing the amount, character, locality, and present condition of the field-work of the surveys in Minnesota uncompleted at and undertaken since the date of the last annual report.

Name of deputy.	Date of contract.	Character of work.	Amount and locality.	Present condition.
J. W. Myers.....	July 28, 1860	Guide meridians and standard parallel.	4th and 5th guide meridian from 9th to 10th standard, and 10th standard from 4th to 6th guide.	Survey completed and approved; diagram and transcripts transmitted.
E. N. Darling.....	July 31, 1860	Subdivisions.....	Townships 44 and 45 north, ranges 24 and 25 west.	Survey completed and approved; plate and transcripts transmitted.
A. S. Bradley.....	Aug. 3, 1860	do.....	Township 130 north, ranges 40, 41, and 42 west.	Survey completed and approved; plate and transcripts transmitted.
E. D. Atwater.....	Aug. 6, 1860	do.....	Townships 133, 134, 135, and 136 north, range 37; and 136 north, range 38 west.	Survey completed and approved; plate and transcripts transmitted.
M. Black.....	Aug. 6, 1860	do.....	Townships 129 and 136 north, ranges 39 and 40 west.	Survey completed and approved; plate and transcripts transmitted.
J. W. Myers.....	Sept. 8, 1860	Township lines.....	Between 4th and 5th guides and 9th and 10th standards.	Survey completed and approved; diagram and transcripts transmitted.
M. Black.....	Nov. 16, 1860	Subdivisions.....	Townships 138, 139, and 140 north, range 34; and 138 and 139 north, range 35 west.	Survey completed and approved; plate and transcripts transmitted.
J. W. Myers.....	June 22, 1861	Township lines.....	Between 5th and 6th guides and 1st and 2d standards.	Survey completed and approved; diagram and transcripts transmitted.
David Charlton.....	June 24, 1861	do.....	Between 5th and 6th guides and 6th and 7th standards.	Survey completed; partial returns made.
Richard Skront.....	June 28, 1861	Subdivisions.....	Township 129 north, ranges 36, 37, 38, 41, and 42 west.	Survey completed; 2 townships returned.
Bradley & Barrett.....	June 29, 1861	do.....	Township 138 north, ranges 39, 40, and 41; township 131 north, ranges 43 and 43; and township 133 north, ranges 44 and 45 west.	Township 131 north, ranges 43 and 43 west approved; plate and transcripts transmitted. Township 133 north, range 44, returned. Deputies in the field.
L. Brockman.....	July 6, 1861	do.....	Townships 107 and 108 north, ranges 39 and 40 west.	Deputy in the field; 1 township returned.

L. G. M. Fletcher.....	July 11, 1861	do.....	Townships 106, 107, and 108 north, ranges 41; and 107 and 108 north, range 42 west.	Survey completed; no returns received.
Willman & Smoot.....	July 13, 1861	Subdivisions and fractional standard parallels.	Township 105 north, ranges 39, 40, 41, and 42 west, and 106 north, ranges 39 and 40 west, being 1st, 2d, 3d, 4th, 5th, and 6th standards from 6th guide to west boundary of State.	Survey completed; 3 townships returned.

W. D. WASHBURN, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, St. Paul, October 19, 1861.

B.

Statement of original, commissioners', and registers' plats made and copied, with date of transmission to the General Land Office and district land offices, since the date of the last annual report.

Township.	Range.	Land district.	Original.	Commissioners'.	Registers'.	When sent.	Total plats.
130 north.....	40, 41, 42 west.....	Otter Tail.....	3	3	3	March 18, 1861	9
129 north.....	39, 40 west.....	do.....	2	2	2	do.....	6
44, 45 north.....	25 west.....	Sunrise City.....	2	2	2	do.....	6
135, 134, 136, 136 north.....	37 west.....	do.....	5	5	5	do.....	15
136 north.....	38 west.....	Otter Tail.....	2	2	2	do.....	6
44, 45 north.....	24 west.....	Sunrise City.....	2	2	2	do.....	6
136 north.....	39, 40 west.....	Otter Tail.....	2	2	2	do.....	6
138, 139, 140 north.....	34 west.....	do.....	5	5	5	do.....	15
138, 139 north.....	35 west.....	do.....	2	2	2	Not sent.....	4
131 north.....	42, 43 west.....	do.....	1	1	1	do.....	2
108 north.....	39 west.....	St. Peter.....					

W. D. WASHBURN, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, St. Paul, October 19, 1861.

C.

Estimate of appropriations required for continuing the public surveys in Minnesota for the fiscal year ending June 30, 1863.

For surveys east of the Mississippi and third guide meridian; for the establishment of the third guide meridian, from the corner of townships 136 and 137 N., ranges 24 and 25 W., 5th principal meridian, 54 miles north, and the establishment of the 6th and 7th connexion lines from independent meridian westerly to the third guide meridian, 194 miles, at \$10 50.....	\$2,037 00
For surveying the township lines between the 5th and 7th connexion lines and the third guide meridian, and line between ranges 21 and 22 W. of 4th principal meridian, 576 miles, at \$10 50.....	6,048 00
For subdivision of 54 townships, at \$350.....	19,900 00
For surveys west of the Mississippi and third guide meridian; for the establishment of the 10th standard parallel from the 3d to the 4th guide meridian, and the township lines between the 9th and 10th standards and 3d and 4th guides, 314 miles, at \$10 50	3,297 00
For subdivision of 43 townships in northwestern land district, at \$350	15,050 00
For the establishment of the township lines between the State line and 1st standard parallel, and the fifth guide meridian and western boundary, 296 miles, at \$9	2,664 00
For subdivision of 25 townships between the State boundary (south) and the 2d standard parallel and the fifth guide meridian and western boundary, at \$250.....	6,250 00
For the incidental expenses of the office, embracing rent, stationery, messenger, binding, &c.....	3,000 00
Total estimate.....	<u>58,246 00</u>

SURVEYOR GENERAL'S OFFICE,
St. Paul, October 19, 1861.

W. D. WASHBURN,
Surveyor General.

D.

Estimate of appropriation required for the salaries of the surveyor general of Minnesota, and the regular clerks in his office, for the fiscal year ending June 30, 1863.

William D. Washburn, surveyor general.....	\$2,000 00
John D. Brown, chief clerk.....	1,500 00
William R. Wood, draughtsman.....	1,300 00
Rufus Cook, draughtsman.....	1,200 00
George Watson, transcribing clerk.....	1,200 00
George O. Mott, compiling descriptive notes.....	1,100 00
	8,300 00

Estimate of appropriation required for clerks to be employed in transcribing field-notes for preservation at the seat of government, and records of same for reference and transfer to the State under legislative enactments.

Transcribing clerk.....	\$1,000 00
Recording clerk.....	1,000 00
Recording clerk.....	1,000 00
	3,000 00

Total estimate for salaries	11,300 00
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SURVEYOR GENERAL'S OFFICE,
St. Paul, October 19, 1861.

W. D. WASHBURN,
Surveyor General.

E

DISBURSEMENT ACCOUNT.

DR.		The United States is account with William D. Washburn, surveyor general.		CR.	
1860.		1860.			
Dec. 31	To amount of disbursements for 4th quarter of 1860.....	Sept. 30	By balance due the United States, per adjustment of account for 3d quarter 1860	\$322 87	
March 31	To amount of disbursements for 1st quarter of 1861.....	Dec. 24 1861.	By Treasury draft No. 4910, on Treasury Interior warrant No. 4296	600 00	
June 30	To amount of disbursements for 2d quarter of 1861.....	March 31	By balance due late surveyor general, per adjustment of account for 1st quarter 1861	9 27	
Sept. 30	To amount of disbursements for 3d quarter of 1861.....	May 30	By Treasury draft No. 6156, on Treasury Interior warrant No. 5498	400 00	
	By balance due the United States.....				1,332 14

W. D. WASHBURN, Surveyor General.

SURVEYOR GENERAL'S OFFICE, St. Paul, October 19, 1861.

No. 13 "H."

SURVEYOR GENERAL'S OFFICE,
Denver City, C. T., October 30, 1861.

SIR: I have the honor to acknowledge the receipt of your letter of the 15th instant, requiring the immediate transmission of my estimates for appropriations required for the surveying department in Colorado for the fiscal year ending June 30, 1863.

I had hoped for time to complete a map of the Territory I have commenced, that I might make a report more in detail.

I have prepared a hasty sketch, which I herewith transmit, showing the surveys of the present season, which are all now completed, and also the surveys which, in my opinion, the wants of the actual settlers demand. The standard and township lines are indicated by pencil lines, and the townships requiring subdivision by the letter S, in pencil, in the accompanying sketch.

The estimates herewith submitted do not by any means include all the territory covered by settlements, but only the portions most thickly settled. Upon the Huerfano river is the most extensive grain-growing district in the Territory. In the South Park are extensive settlements, and during the present season there has been a very considerable emigration of settlers to the Middle Park. I could judiciously expend an appropriation of \$100,000 during the next fiscal year, and then not supply the wants of actual settlers in the Territory; but I know that Congress will not make large appropriations for surveys while more imperative demands are pressing for the moneys of the government.

In my estimate for salaries I have submitted no amount for the pay of a translator, thinking that should an exigency arise requiring such service, the account would be paid out of the general contingent fund.

As you will see, I have estimated the surveys at the maximum prices, but hope to get the work done at reduced prices, to which end I propose, as soon as I shall be advised of the amount appropriated for surveys in this district, and shall have made out a programme of field-work under said appropriation, to prepare a circular, setting forth the work to be done, and inviting propositions for its execution, reserving to myself the awarding of the contracts. These circulars I propose to send to none but good practical surveyors, whom I know to be skilful in their profession, and honest men.

Estimate for surveys in Colorado Territory for the fiscal year ending June 30, 1863.

For standard lines, 72 miles, at \$20	\$1,440	
For exterior lines, 1,090 miles, at \$12	13,080	
For subdivisional lines, 4,860 miles, at \$12	58,320	
		\$72,840

Estimate for salaries for surveyor general's office for the fiscal year ending June 30, 1863.

For surveyor general	\$3,000	
For chief clerk	2,000	
For draughtsman	1,800	
For miscellaneous clerk	1,600	
For messenger	600	
		9,000

Estimate for office rent, fuel, and other contingent expenses, for fiscal year ending June 30, 1863	\$2,500
Total estimates	<u>84,340</u>

Respectfully submitted.

FRANCIS M. CASE,
Surveyor General, Colorado Territory.

Hon. J. M. EDMUNDS,
Comm'r of General Land Office, Washington, D. C.

No. 13 "I."

UNITED STATES SURVEYOR GENERAL'S OFFICE, *Carson City, Nevada, August 14, 1861.*

SIR: In accordance with the instructions from your department, dated April 2, 1861, I submit the programme of the surveying operations of this Territory for the ensuing year.

The amount of lands suitable for agricultural purposes is quite limited, but it is divided into such detached portions, as to require a much larger amount of standard and townships lines than would otherwise be necessary.

Of timber land there is but very little, and this should be surveyed as soon as practicable, as the timber is being rapidly removed and destroyed by parties claiming to hold possession of large amounts by virtue of grants under the old Mormon laws.

The Carson and Eagle, properly but one valley, from its commencement, about twenty-five miles south of this city, varies in width from six to fifteen miles for a distance of thirty miles, extending along the east side of the Sierra Nevada range of mountains. It is my intention during the present year to cause this portion of the valley to be surveyed into townships, and subdivided as far as the limited amount appropriated may suffice. In December, 1860, a petition of one hundred and ninety settlers, praying that these lands might be surveyed and brought into market, was sent to the surveyor general of Utah. Since that time the population has materially increased, the lands are all claimed, and many of the claimants are anxiously awaiting to conform their boundaries to the government surveys. The remainder of this valley, extending to the sink of the Carson, nearly one hundred miles, is narrow for the greatest portion of the distance, with occasional wide bottoms that are seized upon with avidity for grazing purposes. Most of this bottom land can likewise be made suitable for cultivation at a small expense, by means of irrigation. The mill privileges on the Carson river are very valuable, and largely sought after, as, owing to the scarcity of fuel, water power must necessarily remain the almost sole dependence for crushing and reducing the mineral products of this region.

The Washoe valley, lying principally on the west side of Washoe lake, is about fifteen miles in length, by from four to six miles in width, containing quite a number of settlers, and the lands are claimed and held in large ranchos.

The Walker valley, on both branches of Walker river, above the Indian reservation, contains probably three hundred thousand acres suitable for settlement, which should be surveyed at an early day.

The valley of the Truckee river, extending seventy or eighty miles above the Indian reservation, contains a large amount of the best lands in the Territory for both agricultural and grazing purposes. These are already occupied and held in large claims, as are almost all the desirable lands in the Territory.

The Indian reservation on the Truckee river and Pyramid lake, and also on Walker river and lake, which I have lately visited, in company with the governor, do not (judging from my own observation and the best information to be obtained from others) contain more than one township and a half of good agricultural lands. These reservations are, in my opinion, none too large for the present wants of the Indians; and it would seem to me the dictates of humanity, as well as good policy, to leave those valleys for their present use at least.

The mountains adjacent to these valleys being entirely barren, can be of little use to the Indians, and, as they are in some instances already prospected and held by the miners, it would perhaps be best not to include them in the reservations.

As the boundaries are not definitely settled, and as both the whites and Indians are anxious to know their limits, I would recommend that surveys be made early next season, definitely locating the same.

The former courts of Utah, acting under the Mormon laws, have been in the habit of granting to each settler in this Territory as much land as he could fence, and, in many instances, as many thousand acres as he claimed, without fencing.

At the present time many of the ranchos contain from one to three thousand acres. This action of the territorial courts in conveying lands to which they themselves possessed no title, will, in my opinion, be a great source of litigation, as it has already been the cause of much trouble and violence. I would therefore respectfully recommend the establishing of a land office at as early a period as may be practicable, as the longer these parties remain in possession the more unwilling will they be to surrender what many of them consider valid titles, and, being maintained in the face of an intelligent immigration, new troubles are arising constantly. The expenses of surveying will necessarily be higher here than in any other section of the country with which I am acquainted, for the following reasons, viz:

The cost of provisions and all the necessities of life are far in advance of that of any other State or Territory. The standard lines to be run will necessarily cross over some of the highest and most difficult mountain ranges, and over deserts where, at the end of each day's work, the surveying parties must of necessity travel miles in search of water for themselves and subsistence for their pack animals. The townships are scattered over a great extent of country, making the cost of running the lines much more than if compactly situated.

The recent census, hastily taken, gives a population of between sixteen and seventeen thousand, and an accurate census would undoubtedly place it above twenty thousand. A considerable portion of this population is scattered over the agricultural lands to which allusion has been made, but the larger portion will be found in towns and mining districts. The mineral resources of the Territory seem to be unlimited in extent, and are being largely developed.

In speaking of the lands suitable for survey, I have only alluded to agricultural and timbered land, supposing the policy of the government would be to leave, as in California, the mining lands to the control of local legislation and the rules of the several mining districts. Yet there are cities growing up in the midst of mining claims, and a single town lot is often sold for thousands of dollars. I would respectfully ask to be instructed whether such localities should be surveyed, so that town sites can be entered according to law, and titles obtained from the government, where the site covers numerous mines that are now being worked.

Owing to my appointment having been so lately made, and the present appropriation so limited, it will, of course, be impracticable to proceed sufficiently with the surveys the present season to submit a map of the Territory.

Contract No. 1, awarded to Butler Ives, for the survey of nearly one hundred and fifty miles of the Carson river guide meridian, and the second, third, and

fourth standard parallels, is fast approaching completion, and will soon be submitted to the department together with a plat of the same.

Accompanying this report I have the honor to submit schedule marked A, being an estimate for the expenses of this office and the prosecution of the surveys for the fiscal year ending June 30, 1863.

Believing that the public interest requires the immediate survey of all the lands to which reference has been made, I would respectfully recommend the same, and that sufficient appropriation be made for that purpose.

I have the honor to remain, very respectfully, your obedient servant,

J. W. NORTH,
Surveyor General of Nevada.

Hon. J. M. EDMUNDS,
Comm'r of General Land Office, Washington, D. C.

SCHEDULE A.

Estimate of the expenses incident to the survey of public lands in the Territory of Nevada for the fiscal year ending June 30, 1863.

For salary of surveyor general	\$3,000
For salary of chief clerk	2,200
For salary of draughtsman	1,800
For salary of assistant draughtsman	1,500
Compensation of clerks to be employed, according to the exigences of the public service, for transcribing field notes, &c.	2,500
Rent of office, wages of messenger, fuel, books, and incidental expenses	3,000
Two hundred miles base, meridian, and standard parallel lines, at twenty-five dollars per mile	5,000
Three thousand miles township and subdivisional lines, at fifteen dollars per mile	45,000
Three hundred miles Indian reservation surveys, at seventeen dollars per mile	5,100
	69,100

No. 13 "J."

SURVEYOR GENERAL'S OFFICE,
Yancton, Dakota Territory, October 1, 1861.

SIR: Your letter of instructions of the 3d September last, required me to report to you "the programme of the surveying operations I have adopted for the surveying service during the fiscal year ending June 30, 1862, and to accompany said report with an estimate of appropriations necessary for the service during the year ending June 30, 1863, with my reasons for the same."

I have the honor, therefore, to report that this office was opened on the first of July last; that as soon thereafter as I could obtain the necessary information in regard to the settlements already made within that portion of this Territory to which the Indian title has been extinguished to enable me to decide "what portions of this surveying district required the earliest surveys to subserve the interests of the settlers," agreeably to your letter of instructions of April 29, 1861, I decided to confine the surveying operations of the present

fiscal year to subdividing those townships to the extent of the appropriation for the present year, the external lines of which had been previously surveyed under the direction of the surveyor general of Wisconsin and Iowa, between the Big Sioux river and the Yancton Sioux reserve, and bordering upon the Missouri river.

Accordingly contracts were made on the 24th day of July last, copies of which have been transmitted to your office, for the subdivision of thirty townships; seventeen of which are fractional, and some of them of very small area, as you will perceive by examining the accompanying map marked A, to which I beg leave to refer you; the towns contracted to be subdivided the present fiscal year being marked C, upon the same, with red ink; those marked S having been previously subdivided.

I also hope to be able to subdivide, with the means provided for the present fiscal year, township 93 north, of ranges 57 and 58 west; also township 94 north, of ranges 57 and 58 west; but have delayed contracting until I could be certain that the appropriation for the present year will warrant it.

The want of uniformity in the variations of the needle in this vicinity makes it absolutely necessary to require the use of the solar compass, or its equivalent, in subdividing. This fact is supposed to be owing to the presence of large deposits of iron ore, and appears to exist throughout this portion of the Territory; and, inasmuch as the solar compass cannot be used except during fine weather, the work has been somewhat delayed from the exceedingly unfavorable weather which prevailed here during the months of August and September; but, as far as I have examined the work already contemplated, it is being done in the best possible manner, and I have no doubt, when completed, will be found entirely satisfactory, and strictly according to your requirements.

This office having been established by act of Congress approved March 21, 1861, it has required considerable time to get it fully organized and regularly at work. The difficulties existing in the State of Missouri have delayed the arrival of the furniture which was ordered by you to be transferred from the former office of surveyor general of Kansas and Nebraska to this office, and the instruments, stationery, &c., sent from your office by express for the use of this office; and until these necessary articles came to hand we have labored under very great disadvantages, not easily overcome in a new country; but I have the pleasure to report that this office is now regularly and systematically at work.

In preparing my estimates of the appropriation necessary for the surveying service in this Territory during the fiscal year ending June 30, 1863, and which I have the honor to hand you herewith, marked B, I have endeavored to be governed by true principles of economy, taking into consideration the claims and interests of the people of this Territory, the prospect of a large and speedy emigration hither, the duties and interests of the general government, and the present condition of the country. I have not been able to examine so large a portion of this land district as I would have desired. I have, however, conversed with intelligent settlers from the settlements I have not been able to visit, in regard to the surveys most immediately required for their convenience, the character of the soil, climate, natural resources and productions, and amount of emigration now coming into the Territory; and, from all I have been able to learn from personal observation and inquiry, this Territory presents unusual and remarkable inducements to those seeking a home in a new country.

The lands are of the most fertile character, the climate healthful and agreeable, the water pure and wholesome. The returns of the deputy surveyors, now in the field, and the field notes of the surveys previously made, now in this office, indicate most singular richness and uniformity of soil. The capacity of this Territory as a stock raising country cannot be overestimated. The bottom lands of the Missouri and other rivers, without cultivation, furnish to hand most

splendid natural meadows, while the prairie, clothed in rich pasturage, is high and rolling, with fine drainage, and free from malaria.

With all the superior agricultural advantages this Territory affords, there is one serious disadvantage under which it is likely to labor—there is not a sufficient supply of timber for the whole Territory. Along the Missouri and many of the smaller rivers there is a fair supply, but when the population increases largely, as it inevitably will—for the facility with which this Territory can be reached from the eastern States, with the wonderful advantages it offers to an agricultural population, insures its rapid and substantial settlement—timber must be grown, and a substitute in the interior introduced for fuel.

It is mainly in view of this prospective necessity that, in addition to the estimate my judgment dictates as the smallest amount of linear surveying to be provided for compatible with the interests considered and involved, I venture to ask a small appropriation for the purpose of initiating a geological survey, in connexion with the linear survey, during the next fiscal year.

I have received several communications from scientific men upon this subject, and I take the liberty to introduce some extracts from a letter recently received from Professor Winchell, of the University of Michigan, and also State geologist of that State, in his letter of the 9th September, accompanied by a geological map of Dakota, prepared by him, indicating the existence of an extensive lignite tertiary basin in the Missouri valley, and which I respectfully enclose for your examination, marked C. He says: "At the very first thought it would seem that the geological examination of a new Territory must be found almost as necessary, both to the government and the settler, as the measurement of the land itself."

"Without a knowledge of the geological indications of the various districts, the government is liable to be defrauded of valuable mineral lands, and the settler is left destitute of the means for making a judicious selection of a spot upon which to found his home and commence the building up of his fortunes. No independent geological survey has ever had, in this country, so ample provision to enable the geologist to give so close an inspection of the surface phenomena of a district as is provided for in the divisions or subdivisions of a linear government survey; and yet such opportunity for observation and the collection of specimens is eminently desirable, if not indispensable, for the correct development of the geological characteristics of an unknown region. It is safe then to allege that the prosecution of the two works in connexion would secure—

"1st. A much more minute and thorough geological survey than could be expected on an independent basis.

"2d. A saving of nine-tenths of the expenditure generally involved in an independent geological survey.

"I believe the idea of the connexion of linear and geological surveys of our public territory originated in this country with the late Dr. Douglass Houghton. At least he was the first, so far as I know, to carry the idea into execution on American soil.

"A plan had been matured by him, in conjunction with Wm. A. Burt, esq., in the year 1854. This was so fully appreciated and approved by the then Commissioner of the General Land Office, at Washington, that his recommendation secured the appropriation by Congress of a sufficient sum for submitting it to the test of experiment.

"The plan was first carried into execution in the summer of 1845 in the upper peninsula of Michigan.

"The experiment was proving eminently satisfactory, when it was brought to an abrupt termination, and the geological survey suspended, by the death of Dr. Houghton.

"Highly competent collectors for engaging in the work could be selected from

liberally educated young men, whose enthusiasm and love of science would induce them to seek the position for a small pecuniary compensation, in addition to the benefits incident to the experience to be acquired; so small an additional outlay should not prevent the general government from improving the opportunity to perform an indispensable work, which a few years later will cost from ten to twenty times as much." And in a letter also received from Mr. J. C. C. Hoskins, of Sioux City, Iowa, a civil engineer of eminence, who has given a good deal of attention to the geology of the west, he says: "The general fact of the existence of coal beds in the Missouri valley being established, it seems to me of the first importance, both to the Territory of Dakota, and the adjacent Territory of Nebraska, and the State of Iowa, that their extent should be determined, and more particularly that the nearest and most convenient points should be ascertained from which the coal can be procured."

I will only add upon this subject that the advantages to this Territory, and other Territories and States adjoining, of the early discovery of coal, salt, gypsum, iron, copper, and the precious metals, all of which science indicates are to be found within its limits, are incalculable. As to the economy of the joint prosecution of the two surveys to a certain extent I am fully convinced, and, provided there are no legal obstacles in the way, I trust the request I make for an appropriation of four thousand dollars for the purpose of commencing in this Territory a geological survey, in connexion with the linear survey, during the next fiscal year may meet with your favorable consideration, and receive your recommendation. I suggest this comparatively small amount, that the experiment may be tried cautiously at first, and upon the estimate that it will employ five men competent to collect geological specimens, each to accompany a linear surveying party four months; at five hundred dollars each; five hundred dollars for transportation of specimens, and a competent geologist to examine and report upon the specimens collected, at an expense of one thousand dollars.

I would also suggest that the geologist accompanying a surveying party might report very fully upon the topography of the country surveyed, and also act as an examiner of surveys to a certain extent.

An examination of the map of that portion of the Territory to which the Indian title has been extinguished, herewith and marked A, showing the surveys already completed and in progress, will enable you to judge of the necessity and propriety of the surveys for which appropriations are asked for the coming fiscal year; my object in proposing them being to connect previous surveys, with reference to future operations, accommodate the settlers, who have mostly opened farms along the Missouri and the State lines of Iowa, and Minnesota, and who are very desirous their lands should be surveyed, and, if possible, place the surveys of this Territory somewhat in advance of its settlement, which on every account is very desirable to all concerned.

The statements and maps accompanying this report are as follows, viz:

- A. Map of the ceded portion of Dakota Territory.
- B. Estimate of appropriation for surveys for the fiscal year ending June 30, 1863.
- C. Geological map of the Territory of Dakota.
- D. Estimate of appropriation required for salaries of surveyor general and clerks; also for rent and incidental expenses of this office for the fiscal year ending June 30, 1863.
- E. Statement of names, former residence, and salaries paid the clerks at present employed in this office.

All of which I most respectfully submit, and remain your obedient servant,

GEO. D. HILL,

Surveyor General, Dakota Territory.

HON. JAMES M. EDMUNDS,

Commissioner of the General Land Office, Washington, D. C.

B.

Estimate of appropriations required for continuing the public surveys in the Territory of Dakota, for the fiscal year ending June 30, 1863.

For the subdivision of ten townships, the external lines of which have been surveyed, lying between range 56 west and the Yancton and Ponca reservations.....	\$3,000 00
For township lines of six townships, between the Ponca and military reservations at Fort Randall, nearly all of which will be fractional, (miles estimated at 80).....	560 00
For subdivision of the same.....	1,200 00
For township lines of sixteen townships, lying between the State line of Minnesota and range 49 west, and north of the south line of township No. 101 north, (miles estimated at 144).....	1,008 00
For subdivision of twenty-three townships on and near the Big Sioux river, and north of the south line of township No. 101 north....	6,900 00
For township lines of thirty townships, to connect present surveys lying north of township No. 94 north, and extending to the south line of township No. 101 north, and between the Big Sioux river and range No. 53 west, (miles estimated at 378).....	2,646 00
For subdivision of the same.....	9,000 00
For extending the north line of township No. 94 north, from its present western termination to its intersection with Turtle Hill river. This line carefully and accurately extended will make a good base for the survey of all that portion of the ceded territory lying between the Missouri river and the southern boundary of this Territory, (miles estimated at 84).....	1,008 00
	25,322 00

D.

Estimate of appropriations required for the salaries of surveyor general and clerks, also for rent and incidental expenses of this office, for the fiscal year ending June 30, 1863.

Salary of surveyor general.....	2,000 00
Salary of clerks.....	6,300 00
For rent, fuel, and incidental expenses.....	2,000 00
	10,300 00
	35,622 00

The items of estimate D are in accordance with your instructions of April 29, 1861, and act of Congress approved March 2, 1861.

E.

Statement of names, former residence, and salaries paid the clerks at present employed in this office.

Names.	Former residence.	Salary.
N. Edmunds.....	Ypsilanti, Michigan	\$1,600 00
G. W. Lawson.....	Detroit, Michigan.....	1,300 00
W. H. Saunders.....	Ann Arbor, Michigan	1,100 00

REPORT

OF

THE COMMISSIONER OF INDIAN AFFAIRS.

Summary of the Report of the Commissioner of Indian Affairs, of November 27, 1861.

1st. Submits report, referring for details to accompanying documents.

2d. Relates to affairs in the southern superintendency; the efforts of rebels to alienate the Indians therein; the measures adopted to counteract rebel influences; states that communications therewith are interrupted, and that consequently but little accurate information has been received; gives the reasons for his belief that the various tribes of that superintendency have rebelled; and recommends that the usual appropriations be made, stating his reasons therefor.

3d. Gives an account of his visit, in August last, to various tribes within the central superintendency; mentions, particularly, the Delawares, New York Indians, Pottawatomies, Sacs and Foxes, Shawnees, Ioways, Sacs and Foxes of the Missouri, Kaws, Kickapoos and Omahas; his observations as to the wants of those tribes, their condition, advancement in civilization, schools, future prospects, &c., &c.; alludes to operations under act of March 3, 1859, authorizing alienations by Indians of lands allotted to them in severalty; stating the amount of land alienated since March last, and the amount received therefor by the Indians, and states how the sum of \$50,000, appropriated for destitute Indians in Kansas, has been disposed of.

4th. Reports condition of our Indian relations in the northern superintendency; fears that Indians along the northern frontier are tampered with by British traders; mentions allotments of land to Winnebagoes, under their late treaty; states the practicability and necessity of negotiating a treaty with the Yantonnias band of Sioux, also with the Chippewas, of Red Lake; alludes to "Farmer Indians" and "Blanket Indians," the progress of the former, and the bitter opposition they experience at the hands of the latter; mentions the subject of schools, and in connexion therewith refers to a report from Mr. Pierson, making suggestions as to the plan of teaching Indians, which the Commissioner indorses; refers to the sale of ardent spirits to Indians by persons outside and along the borders of their reservations, and desires additional legislation; and commends suggestions of Superintendent Thompson, as to a change of the time and places for the payment of Indian annuities, and the stationing of one or two companies of cavalry within the reservation.

5th. Relates to the creation of the new Territories of Colorado and Nevada; states that no appropriations were made for the same, or provision made for the appointment of agents; and that he was under the necessity of using a portion of the Utah appropriation for the new Territories, and assigning one of the agents of New Mexico and one of Utah to duties within those Territories; refers to troubles anticipated in Colorado on account of a deficiency in amount of funds applicable to its wants, and the interruption of communication therewith, but believes that the danger is now averted; states that the amendment of

the last Senate to the treaty of the Cheyennes and Arapahoes has been concurred in; recommends the negotiating of treaties with the tribes of the Upper Arkansas river; alludes to the discovery of gold in that Territory, the effect thereof upon the Indians, and the consequent necessity of concentrating them upon suitable reservations.

6th. Alludes to various tribes in the Territory of Nevada, their condition, prospects, &c., and makes recommendations as to the same.

7th. Treats of Indian affairs in Dakota; trouble is apprehended with the tribes of the Upper Missouri; believes the accounts of hostilities in the northwest part of that Territory are gross exaggerations; mentions the Yancton and Ponca reservations, and their good effect in preventing incursions upon the Iowa frontier; the destruction of Indian goods by the burning of one boat and the sinking of another; the measures taken to supply the goods lost, and states that many old settlers in Dakota fear an outbreak of hostilities on the part of Indians, which fear the superintendent believes to be without sufficient cause.

8th. Urges the immediate necessity for troops in New Mexico to repel invaders from Texas, and to reduce hostile Indians to subjection; contrasts the condition of affairs in this with that of the southern superintendency; states that in this superintendency many of the tribes are large and powerful, and are actively hostile; that Arizona is in possession of armed rebels; that some of our agents are driven from their agencies, and that the danger of still more formidable and daring atrocities than any yet committed is imminent; mentions favorably the condition and loyalty of the Pueblos and Mohuache Utahs, and urges at length the propriety of concentrating the Indians of the Territory upon large reservations, giving reasons therefor, and why, in his judgment, their claim to title in the soil should be recognized, and treaties for its extinguishment negotiated, rather than the establishment of reservations by acts of Congress, to be supported by direct appropriations, and alludes to large claims against government on account of depredations committed by Indians, stating the increasing necessity for their immediate adjustment.

9th. Mentions the condition of Indian affairs in Utah as being deplorable in the extreme; the existing reservations are dilapidated and almost despoiled; large appropriations will be required to fit up the old reservations, and establish such new ones as are needed; and calls attention to the subject of the children of murdered parents, held in captivity by the Bannacks of the Humboldt river.

10th. Gives a detailed statement of Indian operations and necessities in California; states that a change of our whole Indian policy in that State is demanded; that government owns no reservations in the southern district; that those of the northern are too small, have been suffered to fall into dilapidation, are crowded by whites, are trespassed upon and occupied by them, and that some reserves should be abandoned, and new ones established; calls attention to the urgent necessity that reservations for the Indians should be established in localities as remote from white settlements as possible; alludes to the "Indian war," and especially to a "pernicious system of indenturing Indians," under color of a certain State law, which is liable to, and by which gross abuses are perpetrated.

11th. Relates to Indian affairs in Oregon; states that in some respects they are encouraging, in others the reverse; the Shoshones, in the eastern part of the State, are troublesome, and a treaty should be negotiated with them, which, in his opinion, would remove the difficulties; a treaty should also be negotiated with the Flatheads; alludes to some murders during the past season by Indians of Warm Springs reservation; mentions favorably the Umatillas and Cayuses; calls attention to the effects of the discovery of gold; also to certain Indians who have gone upon reservations under treaties that have not been ratified.

12th. In Washington Territory much dissatisfaction exists, because of the delay in executing certain treaties. Our Indian policy is yet in its infancy; but is being inaugurated as rapidly as possible, and it is believed will soon be

satisfactorily established. Additional treaties are required, and one is particularly demanded with the Nez Percés, on account of discoveries of gold in their vicinity, which has the effect of bringing to their reservation large numbers of whites.

13th. Affairs in the Mackinac agency remain about as at last annual report. The Ottawas and Chippewas desire an advance of \$5,000 per annum on the amount of \$206,000, which will be due them in 1865; which request the Commissioner desires granted, and is also in favor of diverting to the purchase of cattle, farm implements, &c., \$4,000, provided for in the treaty of 1855 for keeping up a certain saw-mill.

14th. Recommends an appropriation to be invested in United States stocks to replace bonds abstracted from the "Indian trust fund;" also to meet the interest falling due on bonds of the revolted States, constituting a portion of said fund; and further, that all bonds belonging to that fund, other than United States stocks, be converted into the latter class of stocks, and an appropriation made to make good whatever depreciation may have occurred since the purchase of the bonds it is proposed to convert as above stated; gives a summary of Indian statistics as to schools, farms, religious institutions, and Indian wealth; asks a further appropriation for the purpose of negotiating treaties with various tribes of Indians in Kansas, Nebraska, and Dakota; and, in conclusion, recurs to and urges the importance of suitable reservations as the only feasible method by which Indians may be civilized.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 27, 1861.

SIR: I have the honor to submit the following report, referring you for information in detail, respecting our relations with the various Indian tribes, to the accompanying documents.

Very shortly after assuming the duties of this office, I learned that emissaries from the States that had rebelled against the government were endeavoring to alienate the various tribes within the southern superintendency, and west of the States of Missouri and Arkansas, from the friendly relations which they had until then sustained to the government of the United States. I accordingly addressed communications to the principal chiefs and executive heads of the leading Indian tribes in that superintendency, informing them that whatever unscrupulous and evil men might represent to the contrary, the government would under no circumstances permit the smallest interference with their tribal or domestic institutions by any person in its service, and that no pains would be spared in the endeavor to furnish them with competent and discreet agents, disposed to a strict observance of all the treaties subsisting between their people and the United States, and to invariably promote a good understanding between the red and white races. Being fully aware that the wild tribes in that country were peculiarly liable to be misled by the appeals of wicked and designing men to their passions, prejudices, and cupidity, and that, as a consequence, our agents in their midst might encounter unusual embarrassments, the superior intelligence and good sense of the more civilized tribes were appealed to in behalf of the agents who would be sent amongst them; and the hope was expressed that in the unhappy contest between the government of the United States and the people of the rebellious States, the former would receive the sympathy and support of the Indians, whose rights and institutions would ever be respected. They were also informed that in furtherance of these objects application had been made to the War Department for troops and munitions of

war to aid them in the enforcement of the policy indicated, and if need be in the defence of their persons and property.

It is doubtful if the assurances thus given (and from which I entertained strong hopes that at least the neutrality of those Indians would be secured) in every instance reached their intended destination; and I exceedingly regret that in consequence of unprecedented and imperative demands made in other and more important directions upon the resources of the War Department, it was unable to furnish the troops and war munitions as suggested.

Since the despatch of the communications above alluded to, the correspondence of the office with the superintendency for which they were intended has almost entirely ceased; and, as a consequence, I am not in accurate possession of information as to the position assumed by the Indians within its limits towards the government.

A large proportion of these Indians are in comfortable circumstances; are very far advanced in the arts of civilization, and many of them are slaveholders. In consideration of the last-mentioned circumstance, the general erroneous impression prevailing amongst that class of persons as to the views of the present administration and its intended policy in relation to slavery, and the further fact that almost immediately after the breaking out of hostilities between the government and its disloyal citizens, the forts in their vicinity were in many instances basely surrendered to the rebels by the officers in command, and so far as possible all United States troops withdrawn by government from that section of country, it is not surprising that many of the Indians have thrown off their allegiance and espoused the cause of the rebellion; and that many others, finding themselves entirely without support from the government, or the means to repel the violent and aggressive measures everywhere adopted by the rebels towards loyal citizens, have quietly submitted to the condition of affairs by which they were surrounded. Amongst the first to yield to these varied influences were the Choctaws and Chickasaws; amongst the last were the Cherokees, at the head of whom is John Ross, who appears to have resisted the movements of the rebels so long as was in his power. If reliance is to be placed in the following publication, which has been extensively circulated, and so far as I have observed without contradiction, it may be presumed that he has at last reluctantly yielded:

"It is reported that an understanding, under the name of a treaty, has been arranged between the rebellious confederacy on the one part, through Albert G. Pike, of Arkansas, and Elias Rector and the Cherokee chiefs and headmen on the other part, in which Mr. Pike entitles himself as 'Commissioner of Indian Affairs,' and Mr. Rector, who for several years held the post of superintendent of Indian affairs of the southern superintendency for the United States, as 'superintendent' under him. I am informed, nevertheless, that this treaty does not satisfy the Cherokees of the full blood, who regard it as having been effected by the most scandalous frauds, misrepresentations, and corruptions."

The Rev. Evan Jones, who has for many years resided amongst the Cherokees, and is intimately acquainted with their disposition and feelings, under date of 31st ultimo, writes me in relation to this reported treaty as follows:

"I have no doubt the unfortunate affair was brought about under stress of threatened force, which the Cherokees were by no means able to resist. But greatly as this defection of our old friends is to be lamented, I feel assured that it was an unwilling surrender, and that it only needs a sufficient force to afford them protection to secure a speedy and cordial return to their former allegiance, and an abjuration of whatever reluctant alliance they may, under duress, have formed with the rebel States." He adds the following suggestion, in which I heartily concur: "And in consideration of the unfavorable circumstances in which the Cherokees were placed, I have no doubt the President will be disposed, on their return, to treat them with a generous lenity and forbearance,

which will bring about a restoration of that confidence and good understanding which has so long and so happily subsisted between them and the government and the people of the United States." His letter, which is herewith, is amongst the most interesting I have received.

In view of the distracted condition of affairs amongst the Indians of this superintendency, as well as on account of the interruption of communication therewith, occasioned by the occupation of the intervening country, comprising the "neutral land" and the Neosho valley, by armed rebels and banditti, the accustomed annuities have been withheld, not, as has been falsely represented, with a view to their confiscation, but that I might obtain more reliable assurances that they would not fall into hands of the rebels as booty, and thus the loyal and deserving portions of the tribes interested be defrauded of their just dues.

In submitting the regular estimates for the prospective fiscal year, I deemed it proper to ask for the usual appropriations for this superintendency, notwithstanding the present relations of the Indians therein towards the government. The formidable difficulties by which they have been surrounded will not, I trust, be overlooked by a benignant and paternal government. While they have been plied with promises, deceived by false representations, and terrified by menaces on the part of the rebels, they have beheld the withdrawal of the troops that had so long been amongst them for their protection, the treason of the officers by whom those troops were commanded, as well as of the agents of the government, upon whose counsels they have so long been taught to rely. Indeed, the only matter of surprise to me is, that they have not more readily and heartily espoused the cause of the rebels. From all the evidences in my possession, I feel assured that the degree of loyalty amongst them is far greater than amongst the whites of most of the rebellious States; and it is in this belief that I desire to have the power, whenever circumstances will justify it, to give them evidence of the still kindly interest of the government in their welfare, and its desire for a restoration of the intimate relations which have so long subsisted between them and the United States and their people.

Under direct instructions from the President to submit in person the amendments made by the Senate at its late session to the Delaware treaty of May 30, 1860, I left Washington for that purpose in the latter part of August last. On my arrival in Kansas I visited the tribe at their reservation, and explained to them, in open council, the proposed amendments to their treaty, to which they readily assented, inasmuch as said amendments are designed to give them additional security for the faithful performance, on the part of the Fort Leavenworth, Fort Riley, Pawnee, and Western Railroad Company, of the treaty stipulations.

I found this tribe much further advanced in civilization than I had been led to suppose. A large proportion of them have adopted the customs, dress, and habits of the whites, and are in possession of comfortable dwellings and well cultivated farms. They number at present 1,034, and their personal property averages almost one thousand dollars to each individual. Many amongst them have become traders with other Indians, both reclaimed and wild, and travel even to the boundaries of California.

The troubles of the times have of late brought most of these wanderers home. Some of the more thrifty of the farmers hold more than a hundred acres subject to the plow, and there is under cultivation land enough to give an average of upwards of three arable acres to each member of the tribe. Last year, like all other cultivators in Kansas, their crops were deficient—this year they will have a surplus for market. The more industrious class are especially gratified in the assignment to them in severalty of their homes, and in being thereby secured in the enjoyment of the fruits of their own industry. There are, however, amongst the tribe many who are unwilling to give up their old habits, and who insist upon continuing their tribal relations, refusing to select for themselves the lands

to which they are entitled, and claiming that they will be happier with their lands in common. This idea was insisted upon so strenuously that I thought it best, after giving notice a proper length of time, to discontinue the making of further allotments for the time being, that the disaffected may have time to reflect and profit by the example of those who have been more wise in securing to themselves fixed and permanent homes. I have no doubt that a short time will suffice to satisfy them of their error, and that eventually all, or nearly so, will make selections of land.

An excellent school has been established for some years amongst the members of this tribe, under the patronage of the American Baptist Missionary Union, and the immediate superintendence of Rev. John G. Pratt, and to this, in a great degree, may be attributed the superior advancement of a majority of its members in the arts of civilization. The school buildings are plain and commodious. I was so unfortunate as to make my visit during a vacation of the school, but the fruits of the good seed sown were everywhere apparent.

I availed myself of my visit to the Delawares to visit several other tribes in Kansas, and to convene them in council, that I might hear their petitions and complaints in case they had any to present.

The New York Indians, who have for many years been living by permission of the Delawares on their lands, hope to have their claims adjusted at an early day so as to be enabled to remove to homes of their own. The claims of the New York Indians upon the government have long been delayed, and call loudly for redress. I shall shortly make these claims the subject of a special commutation.

My council with the Pottawatomies lasted two full days and was to me particularly interesting. I found them intelligent and apparently happy. They have a reservation thirty miles square, rich in soil, and beautifully located on the Kansas river, near Topeka, the present seat of government for the State. A large majority of the tribe, usually denominated the "mission band," are far advanced in civilization, and are anxious to abandon their tribal condition and have a suitable portion of their lands allotted to them in severalty, and the remainder sold to the government at a fair price, to create a fund to enable them to commence agricultural pursuits under favorable auspices. This policy is, however, strenuously opposed by the wild or "prairie band" of the tribe, who look with jealousy upon any innovation upon their traditional customs. I assured the "mission band" that their desire to adopt the principle of individual property, and to rely for support upon the cultivation of the soil, rather than the chase, was warmly approved by the government, and that in case proper efforts, and a reasonable time for reflection, should fail to induce the rest of the tribe to adopt this mode of life, measures would be adopted to rid them from the incubus which now binds them to an uncivilized life. This tribe has had the advantage of good schools, there being two upon the reservation—one under the charge of St. Mary's Mission of the Catholic church, and the other one under that of the Baptist Church south. St. Mary's Mission school seemed to be in a prosperous condition, popular with the Indians, and doing much good. The female department deserves particular mention for its efficiency in teaching the different branches of education. The exhibition of plain and fancy needle work and embroidery, executed by the pupils, creditably attests the care and attention bestowed by the sisters upon these children of the forest. It was plain to me that their hearts are in the work. I cannot speak so favorably of the school for boys, but assurances were given by the present conductor, who has recently taken charge of it, that its deficiencies should be remedied. Much of the improvement in the mode of life, observable among the Pottawatomies, is attributable to the schools. The Baptist school being closed on account of its connexion with the southern board, was not visited, but I was informed that it had been the means of much good.

I visited the Sacs and Foxes and found them a vigorous and powerful race, not one of whom, so far as my observations extended, has adopted the costume of the whites. They accept the theory, but reject the practices of civilized life. The chiefs talked fluently of the necessity of an abandonment of the chase, and their willingness to do so, and to become cultivators of the soil, but with the exception of Ki-o-kuck and some of the half-breeds, I saw little or no efforts to obtain a subsistence in this way, since they prefer to rely upon their buffalo hunts (to which they go annually) and their annuities. My predecessor, Mr. Greenwood, negotiated a treaty with this tribe in 1859, providing for a distribution in severalty of eighty acres of land to each of its members, and the sale of their surplus lands to provide means to establish them in agricultural pursuits under favorable circumstances, and subsequently contracted for the building of houses for the various families upon their several allotments. One hundred and five of these dwellings were built before I entered upon the discharge of the duties of commissioner. Believing it to be bad policy to build houses for Indians, instead of assisting and encouraging them to build for themselves, and that the prices stipulated were exorbitant, I ordered the work to be suspended. This order created so much dissatisfaction on the part of those Indians whose houses had not been built, that I was induced to compromise with the contractor, and continue the work under other specifications, and at greatly reduced prices.

The advancement of these Indians, I have no doubt, will be greatly enhanced by the establishment in their midst of a good manual labor school.

I had an agreeable interview with the chiefs of the Shawnees, who, in company with their agent, Mr. Abbott, visited me at Topeka. This tribe own their lands in severalty, and I was assured by the chiefs that it is in a prosperous condition. Judging the tribe by the intelligence and gentlemanly bearing of its chiefs, I have no doubt that ere long the government will be relieved of any further care in the management of its affairs.

I met the Ioways, as also the Sacs and Foxes of the Missouri, at the Great Nemaha agency, and in council with them, as well as from their agent, was gratified to learn that they are in a prosperous condition, and to a considerable extent engaged in the arts of agriculture, having almost entirely abandoned the chase. Many of them have good farms and are comfortably situated. The Sacs and Foxes will remove to the lands purchased for them from the Iowas, so soon as the treaty lately negotiated for that purpose is ratified, which I trust will be done early in the approaching session of the Senate.

The Ioways who belong to this agency number about 300 souls, and have 225 acres of land of their reservation under cultivation, the products of which will go far towards their support during the winter.

Upon the Iowa reservation a school is established for the children of that tribe, but the difficulty in securing prompt and regular attendance very much impairs its utility. No schools seem to prosper amongst the Indians unless provision is made to board and clothe the pupils at the institution, and in that case their efficiency is greatly enhanced by the adoption of the manual labor system, as it is of equal importance that they be taught how to work as well as a knowledge of the usual sciences taught in schools.

An act of Congress of March 3, 1859, authorized the alienation by the Indians in Kansas of portions of their lands which had been set apart in severalty under the treaties of 1854. Under this act one hundred and forty-eight sales of lands have been confirmed since the 4th of March last, comprising an area of about eleven thousand and five hundred acres, and have produced for the Indians the sum of \$69,219.

By treaties concluded with the Sacs and Foxes of the Mississippi, and the Kaws of Kansas, it is stipulated that after portions of their lands shall have been divided off in severalty to each individual member of those tribes, viz: 80

acres each to the Sacs and Foxes, and 40 acres to each of the Kaws, the residue should be disposed of in such manner as the Secretary of the Interior may prescribe and direct. In order to secure to the said Indians the greatest practical advantage to be derived from the proceeds of these surplus lands, commissioners were appointed to appraise them for the information of the department, which would thus be made aware of their actual or approximate value, and enabled to act independently of any representations of interested speculators. Notwithstanding this preparation it has been deemed advisable to postpone sales for the time being, and await the advent of a period when better prices may be obtained.

Superintendent Coffin and Agent Cutler, who have found it impracticable to discharge their appropriate duties within the southern superintendency, have been detailed to assist Agent Farnsworth in making allotments in severalty for the Kaws, and Agent Hutchinson for the Sacs and Foxes, thus furnishing them with employment, and avoiding the expense of a special commission for those purposes.

From the report of the agent of the Omahas, I learn that their agricultural labors of the present season have been eminently successful. Their crops are large and they have an abundance of every description of produce to meet their wants during the coming winter. They have this season made a commencement in the culture of sorghum, from which it is anticipated they will soon be able to supply themselves with sugar and molasses. Although the tribe numbers less than a thousand souls, they have, in addition to a thousand acres fenced for pasture, six hundred and seventy acres of land under cultivation. They have adopted a regular code of laws, established an internal police, composed of their own numbers, and are evidently making rapid advances in the manners and customs of civilization.

The recommendation of their agent that a competent person should be employed to teach them the art of making baskets, for which they have materials in abundance, is timely, and if adopted will doubtless be of great practical utility. Much of the progress observable in the condition of this tribe, is attributable to their intelligent and exemplary chief, La Fleche, and to the excellent school in their midst. I am happy to state that their loyalty is unquestionable.

In the last annual report of my predecessor, apprehensions were expressed that the wide-spread drought of last year over the central and southern superintendencies would involve many of the Indian tribes in want and suffering, and the intervention of Congress was invoked in their behalf.

To the appeal thus made Congress replied by making an appropriation of \$50,000 as a gratuity to the suffering and destitute Indians. Two persons were appointed (their services being paid for out of the fund appropriated) to make a proper distribution of this donation. One of them was despatched to the Osage river and Neosho agencies, and the other to tribes in Kansas and Nebraska. None of the tribes south of the Neosho agency were included amongst the beneficiaries of the fund, since it appeared to the department that they were in circumstances competent to provide for the wants of their own poor. Relief was therefore confined exclusively to those Indians whose needs were most pressing, and the horrors of famine were thereby averted from many of the tribes, amongst whom may be mentioned the Osages, the Quapaws, Senecas and Shawnees.

The famine pressed most heavily upon the Kickapoos, driving the poor to subsist for a period on the small game they could pick up on the prairies, and those who were better off, to sell their cattle and horses to purchase the means of subsistence. The relief furnished by the government was most opportune in point of time, and was received by the Indians with unfeigned thankfulness. This year they have bountiful crops, which, with their fall annuities, will amply supply all their necessities. The agricultural exertions of these people have

met with a success highly gratifying, and each year's experience serves to stimulate them to yet further enterprise. Their efforts at raising wheat having been satisfactory, the agent has purchased for them one hundred bushels of fall wheat for seed. The tribe numbers in men, women and children three hundred and fifty souls, and own an aggregate of property worth forty thousand dollars, or an average of four hundred dollars to each male adult. A school has been started amongst them, but it is as yet but poorly attended. Several southern Kickapoos, who have been leading a wandering life in the southern part of the Indian territory, have returned to their brethren in Kansas, and profess a disposition to engage in agricultural pursuits.

Of the gross sum appropriated by Congress for the relief of indigent Indians \$26,051 66 have been expended, leaving \$23,948 34 to the credit of the appropriation, subject to such application as circumstances may warrant and require. It was not deemed expedient to invest the whole amount at once, but to expend it as cases of meritorious character should be presented to the department.

The northern superintendency comprises a large extent of country, and its Indian population is numerous and powerful. Some of the tribes have from time immemorial sustained hostile relations with each other, and though no longer at open strife occasionally manifest their long continued animosity. The tribes along the northern frontier traffic largely with British traders, and are consequently subject to powerful influences, which it is feared are not always favorable to the development of our Indian policy.

Provision was made in the treaty with the Winnebagoes concluded April 15, 1859, for the assignment in severalty to each individual member of the tribe of the lands composing the eastern portion of their entire reservation, as follows, viz: eighty acres to each head of a family and forty acres to each male person eighteen years of age and upwards, and for the disposition of the remaining land by the direction of the Secretary of the Interior. In pursuance thereof Messrs. Walcott, of Illinois, Sample, of Indiana, and Baker, of Minnesota, were appointed to the duty of taking a census and making the several allotments. Owing to obstructions thrown in the way of the prosecution of this work by designing white men, and the obstinacy of some of the Indians themselves, the commissioners experienced great difficulty in the execution of the duties assigned them. But through the exercise of patience and perseverance worthy of commendation, they eventually overcame the many obstacles in their way and have substantially accomplished the object. The commissioners were further instructed to appraise the residue of the lands preparatory to bringing them into market, but in view of the disturbed state of the country and the resulting financial derangements, it has been deemed proper to suspend their action and await an epoch more favorable to the interests of the Indians for whose benefit the sales are to be made.

In the year 1851 a treaty was negotiated with the Se-see-toan and Wah-pay-toan bands of Sioux, whereby their title to a large tract of country in the then Territory and present State of Minnesota was extinguished. Since that time the Yanc-tonnais band of the Sioux, (with whom we have no treaties, other than those of amity and good neighborhood,) have persistently claimed that they too have rights in the territory then ceded; but notwithstanding repeated and earnest efforts on the part of this department to ascertain the nature and extent of their claims, with a view to their satisfaction, they have until recently refused to treat, repelled our proffers to that end, and received the offers of negotiation, made by a direct mission from the government, with little less than insolence and contempt. Hitherto they have been a wild and intractable band, manifesting no disposition to abandon in the least their savage mode of life, and have exercised a powerful and pernicious influence upon their neighboring tribes, who are less wild, and are disposed to cultivate more intimate relations with the whites. Recent advices, however, show that at length the Indians of this band

are beginning to surrender their prejudices, and are disposed to arrive at a better understanding with the government, they having made overtures to that effect. I am, therefore, of opinion that a council should be held with them without delay, and if possible a treaty negotiated; and it would be well if, upon negotiating a treaty with the Yanktonnais, one were also made with the Chippewas of Red Lake, for which the necessity is urgent. Some of the Sioux who are located upon reservations have made a fair beginning in the customs of civilized life. They have adopted the costume of the whites, and rely for a living upon the arts of husbandry. This class is known as "Farmer Indians," a term which distinguishes them from the other class known as "Blanket Indians." The Farmer Indians are met at each step in their endeavors to attain the arts of civilization by the constant opposition of the "Blanket Indians," who regard them as innovators upon their ancient customs, wanting in manliness, a discredit to their race, and (to use a hackneyed expression) "degenerate sons of noble sires." So great is this opposition that it requires on the part of the "Farmers" the exercise of great moral courage, as well as the countenance and support of the government, through its agents and forces, to enable them to persevere in their praiseworthy endeavors. The policy of allotting lands in severalty to the Indians, first adopted in 1858, is practiced in the Sioux and other reservations in the northern superintendency, and as is well attested, with marked success. Schools have also been established both upon the ordinary and the manual labor system, the result of which is not so gratifying as is to be desired, and clearly proves that a system is demanded for the instruction of Indians widely different from any as yet adopted. The remarks of Mr. Pierson, school superintendent for the united Sioux reservations, in his report to Agent Galbraith, seem to me to be eminently judicious, and worthy the careful consideration of the government, and all those who feel an interest in the actual progress and welfare of the red race. The main features in the plan proposed, which it seems to me are practicable, and would be attended with the good results anticipated, are, 1st, a direct personal advantage to be derived by the pupils from their daily pursuits, which will furnish constant stimulus to perseverance, and as for generations their pursuits have been physical rather than intellectual, the fact should not be overlooked in any system of education adopted for them; and 2d, to induce them to abandon the costume of savage and adopt that of civilized life, and by this means remove one of the most formidable barriers in the way of their advancement. The reservations of this as well as other superintendencies are grievously infested with liquor sellers. Whiskey everywhere seems to possess for the Indian an irresistible attraction, and having no just appreciation of values, he readily exchanges the most valuable of his possessions to gratify his uncontrollable desire for this stimulant. Unprincipled traders, debarred by law from going upon the reservations, gather upon their borders, and by means of this traffic, which in this case is far worse than robbery, they filch from the Indian his little all, often reducing him to a state of utter want and destitution. To protect him from the cruel avarice of the whites more effectual legislation should, if possible, be had; but inasmuch as the trade is carried on outside of the reservations and consequently within exclusive State jurisdiction, I know not what remedy to propose, unless some system of legislative comity between the State and federal governments can be devised whereby the traffic may be more effectually suppressed. The magnitude of the evil, and its terrible consequences among the Indians, forcibly commend this subject to the careful consideration of legislators and philanthropists. The suggestions of Superintendent Thompson in relation to a change of the time for the payment of annuities, an increase in the number of the places of payment, and the location of one or two companies of well equipped cavalry, at suitable stations within the superintendency, are timely, and in my judgment should be adopted.

At the last regular session of Congress acts were passed creating out of the

then Territories of Utah, Nebraska, and New Mexico, the two new Territories of Colorado and Nevada. It was provided in these acts that the respective governors of the new Territories should act as *ex officio* superintendents of Indian affairs within their limits, but no provision was made for the appointment of agents over the Indians, as in all other existing Territories. As a consequence of this omission, this office was compelled to assign to the Territory of Colorado the agent for the Indians of the upper Arkansas, one of the agents in New Mexico, and to appoint a special agent for the Indians in those portions of Colorado west of the Rocky mountains. The same exigency compelled the assignment of the agent for Utah, who is located in Carson valley, to the Territory of Nevada; all which will remain until further legislation can be had.

As no appropriation was made for the Indian service of the two new Territories, I was compelled to apportion the appropriation made for Utah between that and the Territories in question in such manner as their respective necessities seemed to demand. The matter of further appropriations I propose to make the subject of a special communication.

The condition of our relations with the Indians of Colorado Territory, as represented by my latest advices from its superintendent, Governor Gilpin, is not as favorable as is to be desired. The session of Congress creating this Territory, and establishing therein a new superintendency, failed to make the necessary appropriations to defray the expenses incident to its altered condition, and owing to this fact, and to the further facts that communications with the Territory have been very uncertain and the distribution of the gratuities has been thereby impeded, the emissaries of the rebels, as well as the disaffected resident whites, have been enabled to make a strong impression upon the minds of the Indians, and at last advices it would seem that, although no acts of hostility on their part have been committed, they were beginning to waver in their loyalty, and it will require, and I doubt not receive, on the part of the government and its representatives, the exercise of prudence and good management to avert the calamities which would attend an alliance of the Indians with the rebels. As the usual supplies have now gone forward, I feel sanguine that the dangers so much apprehended by Governor Gilpin are passed, and that he will be enabled to preserve friendly relations with the tribes of the Territory. A treaty was concluded with the Cheyennes and Arapahoes in February last, by which their title to a large extent of country, including Denver City and the surrounding regions, was extinguished. This treaty was ratified at the late session of the Senate, with an amendment, to which the assent of the Indians was necessary before its promulgation as the law of the land. Measures were accordingly taken to procure their assent, which was readily given. So soon as appropriations are made so that its stipulations may be fulfilled, I have no doubt it will be attended with highly favorable results.

The time has now fully arrived when the formidable tribes between the Upper Arkansas and Texas should be brought within the scope of our Indian policy. For two years the Comanches and Kiowas have rendered the passage of the plains perilous to emigrants, but recently they have manifested a disposition to assume friendly relations with the government, and to be restored to its confidence, and have entered into a preliminary treaty to effect that object. For this reason the presents of goods, which for two years have been withheld from them, have been distributed this year. Thus the travel upon the great plain between the frontier and New Mexico has again been made secure and its worst dangers averted.

The recent discovery of gold within this Territory has drawn thither a rapid tide of emigration, which being precipitated amongst the tribes occupying the gold bearing regions of the Territory, thus mingling the white and red races, without any treaties contemplating so radical a change in their relations, has

greatly increased the difficulties in the way of a successful administration of its Indian affairs.

It will be necessary to negotiate treaties with many of the tribes, and as the interior of the country is being so rapidly filled with our people, the demands of justice to the Indians, as well as good policy, require that great care should be exercised in order to secure for them suitable and ample reservations upon which to locate their future homes.

The change from savage to civilized life is very great, and is, at best, beset with difficulties and perplexities. As the ultimate object of all our operations among the Indians should be to better their condition, it will be my duty, as well as of all other employes of the government, to endeavor to secure for them reservations of such dimensions, and possessing such natural facilities in climate, soil, and all other desirable qualities, as will, so far as possible, remove the obstacles in the way of their advancement, and present to them the greatest inducements to abandon savage and adopt civilized modes of life.

On the 31st of July last Governor Nye held a talk with the Indians located on the spacious and suitable reservation on Walker river, which is occupied by about 700 souls of the Pah-Ute tribe, under the headship of Oderkerno. They appeared well pleased with the purposes of the government towards them, and accepted their presents with promises, apparently quite sincere, to continue on peaceable terms with the white settlers. On a subsequent day a similar talk was held with the Pah-Ute Indians of the reservation on Truckee river, under the head chief Wuna-mucka, a man of much native sagacity, and well disposed towards the whites. They number about 500 souls, are a better description of people than the other Pah-Utes, and are situated on a reservation of a desirable character. Wuna-mucka made satisfactory declarations of his purpose to prevent all interference on the part of his people with the overland stage and the telegraph, which passes through their country between the Atlantic and the Pacific States. Care has been taken to remove white trespassers from these and all the other reservations in Nevada.

The Washoe tribe present a painful contrast to the other Indians, even of this region. They are a poor and degraded set of creatures, living on insects and spontaneous products, and can do but little harm to anybody. No reservation has yet been assigned to them, and Governor Nye strongly discourages their location on the Pyramid Lake reservation.

In the opinion of the same officer, the Pah-Utes should be placed on the road to a higher civilization without further delay, by a judicious supply of farming implements and cattle, and articles of domestic utility. Schools should be established on the reservations as in other superintendencies.

Indian affairs in Dakota for the year past have been satisfactory. In the Upper Missouri agency, where the tribes have no treaties with the United States which confer annuities upon them, but only treaties of amity from which they derive but a few goods annually, the security for continued peace is not strong. It would be good policy to locate these Indians within reservations at an early day. The numerous rumors of alleged hostilities by the Indians on the settlements to the northwest of Dakota are untrue, or at least gross exaggerations. In northwestern Iowa it is known that for several years past Indian incursions have been frequent, but their depredations during the past year have been comparatively unimportant, which is mainly due to the vicinity of two Indian reservations, (the Yankton and Ponca,) which operate as a protection to the white settlements not easily appreciated by those who have never resided upon the Indian frontier. A few bands of Santees, who do not participate in the distribution of annuities to Indians residing on the Minnesota river, are the only actively hostile Indians in that region. A boat containing annuity goods was, with its contents, accidentally destroyed by fire, and communication with Fort Benton thereby suspended, and consequently no report has been received from

the agent in that quarter. I was so fortunate, however, as to be able to replace the goods that were lost by this accident through the courtesy of Messrs. Chouteau & Co., of St. Louis, who have a large stock in that country, to which they allowed me to resort, upon condition that goods similar in quality and quantity to those necessarily used shall be supplied to them upon the resumption of navigation in the spring, so that by this arrangement no trouble with the Indians of that vicinity need be apprehended. The Poncas have but recently gone upon their reservation. They have already some three or four hundred acres of land ploughed, and there is reason to believe that in the course of another year their condition will be materially improved. The Yancton Sioux are doing well; they have about eight hundred acres of land under cultivation, and it is believed that the whole tribe, of which a few bands have hitherto been refractory, will very shortly settle upon their reservation. A portion of the goods intended for this tribe, estimated at from four to six thousand dollars in value, was accidentally destroyed by the sinking of a boat, and some trouble with the Indians was anticipated in consequence of the loss, but by the prompt action of their agent the danger has been averted. Some apprehensions of an outbreak among the Indians of Upper Missouri have been felt by many old settlers in Dakota, but the superintendent is confident that it will be prevented.

The condition of our relations with many of the tribes of the superintendency of New Mexico demands the earliest practical interposition of the military force of the government, not only to preserve the lives and possessions of our resident citizens, but also to reduce the hostile tribes to subjection, punish them for the barbarous atrocities they are continually committing, and, in addition to this, to repel rebel invaders from Texas on the south and the Comanches on the east. Unlike the southern superintendency, which is almost exclusively occupied by Indian nations and tribes, a majority of whom are more or less advanced in civilization, and are not engaged, so far as we are reliably informed, in actual hostilities, this superintendency is checkered here and there with white settlements, which, by the withdrawal of the United States forces, are left almost without the means of defence. Several of the tribes within its borders are wild and warlike, are actively hostile, and, on account of their numerical strength, are truly formidable. Arizona is in armed occupation of rebels from Texas, who threaten to extend their incursions further north, and do not scruple to aggravate the hostilities already subsisting between the white and red races. The withdrawal of the overland southern mail is believed by the Indians to have been a consequence of their hostility, and this supposed success has greatly encouraged and emboldened them, so that there is ample reason to fear that they will engage in still more formidable and daring atrocities. In many parts of the Territory our agents are driven from their agencies, and thus all present control is lost and the Indians left to the unrestrained commission of their depredations.

This condition of affairs ought not to be allowed to continue, and I earnestly hope that ere long the power of the government may be brought to bear upon them, and the peace and quiet of the Territory thereby restored. The most formidable of the tribes thus arrayed in hostility towards our people are the Apaches and the Navajoes. On the part of the former hostility is open and undisguised, while the latter are more insidious, but it is believed not less dangerous. In gratifying contrast with the position assumed by the Apaches and Navajoes may be mentioned the Pueblos and Mohuache Utahs, with whom our relations are as satisfactory as at any former period. The Pueblos are peaceable and loyal. They are to a considerable extent engaged in agricultural pursuits, and it is believed that a small exercise of the fostering care of the government in establishing and maintaining good schools in their midst, and in locating them upon a suitable reservation, will in a very few years entirely reclaim them from savage life, and cause them to become useful and good citizens. The Mo-

huache Utahs are formidable in numbers, and are enterprising, intelligent, and loyal to that degree that they have tendered their services for the protection of white settlers against the assaults of rebels as well as savage foes. They, too, are highly meritorious objects of our care, and afford abundant evidence that our efforts in their behalf will meet with an ample reward.

I desire to call your attention to the necessity of concentrating the Indian population of this superintendency upon suitable reservations. The Mexican government, formerly in possession of this Territory, differed widely from ours in its policy and views in relation to the rights of the Indians in the soil. That government regarded itself as the absolute and unqualified owner of the soil, and held that the Indian had no usufructuary or other rights therein which it was in any manner bound to respect. Hence it negotiated no treaties with the Indians for the extinction of their title to land, and in pushing forward new settlements made no provision for their welfare or future homes. It has been claimed that inasmuch as Mexico asserted and exercised this absolute and unqualified right of ownership in its soil, we, in acquiring from that nation the Territory in question, succeeded to its rights in the soil, and are therefore under no obligation to treat with Indians occupying the same for the extinguishment of their title. If this position is correct, it would seem to follow that the policy so long pursued by our government in negotiating treaties with Indians, and thus extinguishing their titles to land within our borders, has been radically wrong; for as the Indians occupied the territory of both nations prior to the advent of the European races upon this continent, it seems clear that they held lands in the territory of Mexico and the United States by precisely the same tenure. Be this as it may, the necessity that the Indians of this superintendency shall be concentrated upon suitable reservations is imperative. The rapid spread of our population has reached this as well as our other Territories. New settlements are everywhere springing up; the Indians in large and imposing numbers are in their midst, leading a wild and predatory life, gaining a scanty subsistence by the chase and an irregular and imperfect cultivation of the soil; a constant source of irritation and vexation to the whites, and it would seem in a condition utterly at variance with the prosperity, welfare, or improvement of themselves or their white neighbors. To cure all these evils; to foster and protect our own settlements; to secure the ultimate perpetuity of the Territory, and a speedy development of its resources, and to reclaim and civilize the Indians, but one course is, in my judgment, left, and that is the concentration of the Indians upon ample reservations suitable for their permanent and happy homes, and to be sacredly held for that purpose. To effect this desirable object two methods are suggested; the one is to set apart from the public domain ample and suitable reservations, and by liberal appropriations provide a fund whereby the Indians may be located thereon, and enabled to commence their new mode of life under favorable circumstances; the other is to acknowledge that they hold the public domain by the same tenure that Indians held in other Territories, negotiate treaties with them for the extinguishment of their title, and thus provide a fund for the purposes above mentioned. That the latter method is preferable I have no doubt, for the reason that whichever may be adopted will be attended with the same expense; while the latter, by a treaty, to which the Indians are themselves parties, forever silences all claims they may have to that part of the public domain not reserved by them, for which they will feel that they have received a fair equivalent. Besides, they will not feel, as would be the case if the former method is adopted, that they have been removed by irresistible power from the lands over which they and their ancestors once held absolute dominion, and that to make room for the white man they are robbed of their hunting grounds, crowded upon scanty reservations, and compelled to subsist upon his bounty.

It may well be suggested, in support of the plan for which I have thus ex-

pressed a preference, that while the act of transfer of the territory occupied by these Indians not only reserved to them all the rights which they had obtained by the consent of the Mexican authorities, it also placed them within the protection of the general policy established by the United States for the government of other tribes. It would seem to be an anomaly to pursue that policy as to a portion of the tribes and withhold it from others, and would produce confusion in the working of the system. That one or the other of these methods should be adopted, not only in this but also in the Utah and California superintendencies, is demanded by every consideration, whether it be of prudence, economy, or enlightened statesmanship, and I therefore trust that this subject may be presented to Congress at its approaching session, and its consideration of and appropriate action upon the same earnestly solicited. One other subject of complaint in this superintendency demands immediate attention. It is the indemnity claims of many of its citizens for losses sustained by Indian depredations. These claims are numerous, and in the aggregate large. They extend over a series of years, and some of them are exceedingly complex and difficult of adjustment. As each year's delay only serves to add to the difficulties of a fair and just settlement of these claims, measures ought at once to be taken for their investigation, and a fund provided for their payment.

Repeated references have been made by my predecessors to the unpromising condition of Indian affairs in Utah Territory. This is ascribable to several causes, amongst the chief of which are the natural poverty of the country, the destruction of the wild game by the introduction of white men, and the selfish policy of the Mormon people. It thus follows that the bulk of from 15,000 to 20,000 of the original proprietors of the country, deprived of their accustomed means of subsistence, are driven to the alternative of laying violent hands upon the property of the whites, or of perishing by want. In the pursuit of its duty to prevent, to the best of its ability, either of these results, the government has met with no little difficulty and obstruction, due, in part, to the vastness of so poor a region, and in part to the fanatical perverseness of the white inhabitants who are almost wholly subjects of the Mormon hierarchy. The late superintendents and agents, impressed by spectacles of gaunt famine continually presented to their eyes, seem to have thought it necessary not only to distribute all the funds furnished them for supplying the wants of the Indians, but also to strip the reservations of their farm implements, teams, animals, and even furniture, in order to obtain additional means for the same pressing purpose.

From several causes, the principal being, perhaps, Mormon intrigue, the Indians had become, during last winter and early spring, exceedingly hostile to the whole white race, when the late superintendent, as he states, by gathering them in council at various places, and making them presents of provisions and other necessities, succeeded in calming their fury.

No other hope of adequate remedy for the state of Indian affairs in this country presents itself than the vigorous resuscitation of the reservation system in the light of such improvements as experience has suggested. One of these appears to be the recognition of cattle husbandry as a means of subsistence for the Indian, equal in importance with the tillage of the soil. In the comparatively rainless countries west of meridian of 100 degrees agriculture must ever be conducted under circumstances of disadvantage and risk as compared with regions where rains are frequent or periodical. To furnish the Indian, who is naturally far more of a herdsman than a cultivator, with a source of reliance in those not unfrequent seasons when crops almost wholly fail, is to do for him one of the greatest possible benefits, since it closely assimilates the provision made in his behalf by nature herself ages before the appearance of the white man upon the continent.

The present officers of the department in Utah commenced the discharge of their duties under discouraging circumstances. They found desolation extend-

ing even to the office room of the superintendent, and the reservations swept of agricultural means and appliances with which they had been furnished. To a great extent the Indian residents had also deserted the reservations, and had scattered themselves in various portions of the Territory in search of the means of subsistence. Interviews held with some of the chiefs of important tribes developed the wish of the Indians of the Territory generally to come under treaty relations, and to cede their lands to the United States, thereby securing to themselves quiet homes, and the means of comfortable subsistence.

These chiefs will stipulate to be held responsible for all depredations that may thereafter be committed by any of their people, and that the damages shall be deducted from their annuities.

To meet the various exigencies of the next year's Indian service in the Territory, to assure the protection of the overland mail and telegraph lines, and to re-equip the farms on the Spanish Fork, Corn creek, and San Pete reservations, will require, in the judgment of the superintendent, at the minimum, an appropriation of \$150,000. I would respectfully refer you to what the late Superintendent Davies repeats from San Pitch, chief of the Snake Digger Indians, relative to the children of murdered emigrants now held in captivity by the Bannacks of the Humboldt river.

Owing to the remoteness of California and the length of time necessarily employed in transmitting communications to and from the same, the department is compelled in a great measure to rely upon the sagacity and integrity of the superintending agents located there, and for the same reason those agents are often under the necessity of assuming grave responsibilities, as to await instructions would be, in many instances, to allow the opportunity to prevent flagrant wrongs, correct existing abuses, and secure valuable ends to pass unimproved.

I desire to call especial attention to the reports of the superintending agents of the two districts, (northern and southern,) into which, for Indian purposes, the State has been divided. From those reports it will be seen that a complete change in the management of our Indian relations is demanded. A change involving the breaking up of some of the existing reservations; the correction of gross and palpable wrongs upon others; the re-establishment of new reservations, as I trust will be the case, upon a far more ample scope than any heretofore established; the furnishing of an almost entirely new outfit of tools and other necessary articles to those established and to be established; and a thorough investigation, and, if possible, a correction of outrageous wrongs perpetrated, under color of law, against not only the property but also the persons and liberty of the Indians. To effect this change will require time, a considerable expenditure of money, and the exercise, on the part of all persons connected therewith, of great care, patience, and circumspection.

The remarks made under the head of the superintendency of New Mexico upon the subject of Indian reservations, and the methods by which they should be established, apply to California with peculiar force. Within the southern district of the State not a single reservation exists that is not claimed or owned by the whites, nor is there one that is at all adequate in extent to the wants of the Indians. They appear to be simply farms, a few hundred acres in extent, about and upon which the Indians are expected by hundreds, and, in some instances, by thousands to congregate, and from which a small proportion of their wants are supplied. These farms, in several instances, are in the midst of regions thickly inhabited by whites, to whom the Indians prove a constant source of annoyance, and by whom they are prevented from wandering over large tracts of country, as they are by nature and long habit so strongly inclined to do. Thus the chief objects for which reservations are desirable is frustrated. Instead of being a retreat from the encroachments of the whites upon which they may concentrate and gradually become accustomed to a set-

tled mode of life, while *learning* the arts and advantages of civilization, and which at a proper time is to be subdivided and allotted to them in severalty, and thus a home furnished to each of them, around which shall cluster all those fond associations and endearments so highly prized by all civilized people, and they in a condition to appreciate the same, the reservation is a place where a scanty subsistence is doled out to them from year to year; they become accustomed to rely upon charity rather than their own exertions; are hemmed in by people by whom they are detested, and whose arts and customs they have neither the power nor inclination to acquire, and thus they become vagrants and vagabonds, accomplishing for themselves no desirable end, and are a nuisance to their white neighbors.

Within the northern district the reservations are owned by government, but with the exception, perhaps, of that of Round valley, they, too, are insufficient in size, and in consequence of their occupation under one pretext or another, by whites, are of no more real utility to the Indians than those of the southern district. At Nome Lacke reservation there were at one time between two and three thousand Indians, but owing to encroachments of whites upon the reservation, their settlement around its borders—the evils which invariably attend immediate attack of the two races—a pernicious system of indenturing the Indians to the whites, and the further fact that the farm has been suffered to fall into decay, and the buildings to become dilapidated, there are now not exceeding two hundred in all, the remainder having wandered off because it was no longer possible to remain. This reservation, judging by the report of the superintending agent, ought to be abandoned, for the reason that it has not the natural facilities to adapt it to the purpose intended, inasmuch as there is no fishery, and the timber is twelve miles distant, objections which at the time of its establishment were not so insuperable as now, because at that time all the adjacent region was not occupied by whites. I have mentioned this reservation particularly, because it combines objections which, to some extent and in greater or less degree, exist with reference to all the others, and is a forcible illustration of the necessity that all Indian reservations should be large in area, and so located as not to be liable to come in immediate contact with white settlements, which contact is seldom or never beneficial, and in many instances causes an actual degradation of the Indians.

There are, as I am informed, many unsettled claims for expenditures made in behalf of the Indian service in California, which require immediate attention. Measures must also be taken to cause the removal of whites from such reservations as it is deemed advisable to retain, and to provide for the payment of such improvements thereon as are of utility to the Indians.

Under a law recently passed by the State legislature, large numbers of Indians have been nominally "indentured" for long terms of years to white masters. This "indenturing," if my information as to the character of the law and its practical operation is correct, is but another name for enslaving those who are so unfortunate as to become its objects, since, by its operation, Indians of any age under thirty, and of either sex, without their consent, or, if they be minors, that of their parents, are "indentured" to white masters, who thereupon become entitled to "the care, control, custody, and earnings" of those thus "indentured," whom, in consideration thereof, they undertake to "feed, clothe, care for, and protect," but no security is required that this undertaking shall be performed, nor are any penalties prescribed for its violation. A law like this is subject to enormous and outrageous abuse, and may be made the means by which the most wicked oppression may be perpetrated, and I cannot believe that it was enacted with due consideration and deliberation, or that its provisions will not, at the earliest practicable moment, be so amended as to prevent its conversion by wicked and unscrupulous men to the purposes of a cruel oppression, disgraceful alike to a community in which it is permitted, and a State under color of whose

authority it is perpetrated. I wish, however, to be understood as not objecting to a law for the "indenturing" of Indian youths to discreet and respectable whites, with such safeguards incorporated therein as will secure for the Indian apprentice the same benefits and advantages as are deemed indispensable in the case of white children. The law to which I have alluded is (if my information is correct) grossly deficient in this respect, and all proper remedies should at once be resorted to to rescue those who, under color of its provisions, have become victims of the avarice of base and designing men.

The statement, as made by Superintending Agent Hansen, of the causes which led to the employment of United States and volunteer forces against the Indians in the frontier portions of Humboldt and Mendocino counties, and of the crimes that are committed in the wake, and, as seems to be the case, under the *quasi* protection of those forces, presents a picture of the perversion of power and of cruel wrong, from which humanity instinctively recoils. This so-called "Indian war" appears to be a war in which the whites alone are engaged. The Indians are hunted like wild and dangerous beasts of prey; the parents are "murdered," and the children "kidnapped." Surely some plan may be devised whereby the Indians may cease to be the victims of such inhumanity, and the recurrence of scenes so disgraceful rendered impossible.

Representations as to the causes of and manner in which this "Indian war" is being prosecuted, as also in relation to various other alleged abuses in the Indian service in California, Oregon, and the Territory of Washington, induced me, with your approbation, and at the urgent request and upon the recommendation of several prominent public and private citizens, to appoint, in August last, Dr. Elijah White, represented to be a gentleman of large experience in Indian affairs, as special agent, to visit those places and investigate the various subjects of complaint, and I am anxiously awaiting his report in the hope that his mission may be productive of good results.

From what has been stated in relation to the condition of the Indians in California, and from the papers herewith relating to that subject, will be seen how great is the necessity that the subject should receive the earnest consideration of the approaching Congress, to which I trust it will be commended, and its wisdom and liberality earnestly invoked in behalf of the Indians, so that adequate remedies may be provided to cure the deplorable evils by which they are surrounded.

Indian affairs in Oregon continue to be discouraging in some respects, and gratifying in others. The incompleteness of the arrangements of some of the reservations, and the dilapidated condition into which the buildings and other improvements have been suffered to fall, have furnished evil-disposed persons with a plausible pretext to assert to the Indians that the government of their "Great Father" is destroyed, and that no more annuities will be paid them. The consequence of this is that the Rogue River Indians have abandoned their reservation, and that the Indians of other reservations are threatening to follow their bad example. Measures, which it is hoped will prove successful, have been taken to compel the return of such as have wandered away, and, so far as possible, counteract the effects of the wicked representations by which the trouble has been caused. With the exception of a series of robberies and murders committed in the neighborhood of the Dalles, by some Indians of the Warm Springs reservation, who were promptly surrendered by the tribe to be dealt with according to law, the affairs of that reservation are progressing with quiet and regularity. On the Umatilla reservation a remarkable degree of industry and consequent prosperity is noticeable, which is to be credited principally to the Cayuses, and secondarily to the Umatillas. Although the Cayuses number *less* than 400 souls, they own property valued at exceeding one hundred thousand dollars. They are justly considered the most advanced of all the tribes in Oregon. On this reservation, besides the two bands already named, there is a band

of Walla-Wallas, less industrious and provident than the others. These bands unitedly exceed one thousand in number, and would be much benefited by the establishment of a school among them. The discovery of gold in this region has the unwelcome effect of bringing to it many vicious men of the white race, whose trade in spirituous liquors is highly prejudicial to the Indians. They establish themselves just outside the reservations, and present a case on the Pacific coast similar to that already noticed in the northern superintendency, as requiring additional legislation by Congress, or the State government, or both. On the Siletz reservation agricultural operations are quite extensive. More than 1,200 acres are under tillage, of which nearly one-half was this year devoted to an oat crop, about one-fourth to wheat, and most of the remainder to potatoes. There is a school on this reservation, but difficulty is experienced in securing the attendance of the children. Though more than two thousand Indians are now collected on this reservation, only two hundred and fifty-nine of them are under confirmed treaty relations. This circumstance was regretfully alluded to by the agent in his report for last year, and reference to it is repeated in his present report. It was thought best by the late superintendent, with whom the present concurs, that the treaty of August 11, 1855, should not be ratified, and he was likewise of opinion that the formality of a new treaty is unnecessary, although he earnestly commended to the justice of Congress the case of those 1,766 Coast Indians, who had, in good faith and reliance upon the government, relinquished their native haunts and removed to the reservation. He suggested that annuities should be extended to them sufficient to purchase such articles and procure such comforts as are enjoyed by the small minority under treaty. My views upon this subject have been elsewhere expressed. There are several tribes of Indians in Oregon of formidable power, with some of whom we have negotiated no treaties, and with the others our treaties are not sufficiently comprehensive.

The Shoshones, or Snakes, and the Flatheads, are wealthy and powerful, and can cause their hostility to the remoter settlements and the overland emigration to be severely felt. Hence the pressing necessity of some speedy arrangement with them, which with the Snakes it is suggested should be (as a temporary measure) a treaty granting annuities in consideration of a right of way across their country.

For the Flatheads, who give expression of something like jealousy that they have not received the attention of our government, it would be well to gather a council, in which a more definite knowledge of their wishes and expectations could be arrived at, and stipulations looking to the safety of emigrants and miners agreed upon.

The Indian affairs in the distant Territory of Washington have not as yet assumed that degree of regularity and system which is desirable. The recent organization of the country, the ruggedness of its surface, and its paucity of white inhabitants, are impediments to the rapid development of our Indian policy, which will require no little time and patience. It is probably for this reason that the treaties of January 1, 1855, with Makah tribe, located in the extreme northwest corner of the Territory, and that of January 25, 1856, with the Quinai-elts and Quil-leh-utes, have not been carried into execution. Much dissatisfaction exists on the part of these tribes on account of the prolonged delay, and they are beginning to lose confidence in the good faith of the government; but I am assured by the late superintendent that so soon as we shall have executed the stipulations on our part of said treaties, for which arrangements are now completed, there will be no difficulty in the way of a speedy and full restoration of confidence and content. Goods have, this year, for the first time been distributed to the D'Wamish, Suquamish, and Skallams tribes, which tribes, it is represented, are mainly located upon their reservation, and, so soon as agency buildings can be erected, will be fairly under our protection and control, and it is to be hoped in a condition favorable to their welfare and improvement. A

comparison of their own condition with that of the tribes who are living upon reservations under treaties with the government, has induced a change in the views of the Chihalis, Cowlitz, and Chinook Indians, who in 1855 refused to enter into treaty relations. They now desire to come under the care and protection of government, and to be located upon a reservation. Should their desire be gratified, a tract of land on the Chihalis river, at the mouth of Black River, which has been surveyed, is deemed a suitable reservation for the Upper Chihalis and Cowlitz bands; and it is believed that the Lower Chihalis and the Chinooks may, without difficulty, be associated with the Qui-nai-elts and Quilbutes upon their reservation.

Several of the tribes in this Territory are making fair progress in agricultural pursuits, amongst whom may be mentioned the Yakamas. This tribe has a school, under the direction of Mr. Wilbur, which is highly spoken of. Upon the Tulelip reservation there is also a school, under the care of the Rev. E. C. Giroux, which it is reported is doing much good.

The whole number of Indians in Washington Territory with whom treaties have been negotiated and confirmed is estimated at about fourteen thousand. Besides these, there are many tribes and bands with whom treaties should be negotiated as early as practicable, and it is believed that the most of them may be associated with the Indians of existing reservations, with whom they are known to possess strong affinities.

The rush of white persons, probably to the number of ten thousand, into the country of the Nez Percés, in search of gold, of which it is reported that valuable discoveries have been made, will require on the part of our agents great diligence and care in order that collisions of the two races may be prevented. It will probably be necessary to negotiate an additional treaty with that tribe, in order to adapt the location of their reservation to the circumstances now surrounding them, and so widely differing from those in existence at the time the present treaty was negotiated. Up to the present time no difficulties have been met so far as I am informed. In my comments upon the Washington superintendency, I have mainly relied for facts upon the report of the late superintendent, that of the present incumbent not having yet been received.

A little change has taken place in the affairs of the Mackinac agency during the past year. The greatest evil with which the Indians have to contend is idleness. Wherever they are situated so as to be clear of its pernicious influence their improvement is manifest. Those who live on the borders of the great lakes divide their time between the old pursuits of fishing, hunting, and trapping, and those of the interior depend on the cultivation of their farms. Besides the ordinary farm products, they manufacture large quantities of maple sugar, of which they have a considerable surplus for market. Their schools are subject to the same influences which are common to Indian schools, of which the most discouraging is the apathy of the parents towards the mental improvement of their children.

Agricultural production would be much stimulated amongst the Ottawas and Chippewas of this agency by a supply of farm implements and working cattle. A title remains to them of the \$75,000 granted in the treaty of 1855, and they ask an advance of \$5,000 per annum, for objects of husbandry, from the \$100,000 that will be due them in 1865, for which I deem it proper to ask an appropriation, as I have no doubt that a moderate annual advance would be of real benefit to them rather than the payment to them of so large a sum at one time.

Their agent also proposes to divert to the purchase of cattle and farming implements a sum of \$4,000, provided for in the treaty of 1855, with the Chippewas of the Pigeon, Swan Creek, and Black River, wherewith to keep up a saw-mill. As he considers it to be badly located and altogether an unproductive object, I fully concur in his recommendation.

The Indians of this agency are desirous of obtaining certificates of title to

the lands they hold, and others refuse to settle down on their allotments until the titles have been furnished them. Evil-disposed white men use the withholding of these evidences of title to create uneasiness in the Indian mind, and in my judgment, justice imperatively demands that the rights of the Indians in this respect shall be recognized and secured at the earliest practical moment.

It is gratifying to know that the Mackinac Indians vie with the great majority of their red brethren in their warm sympathy with the cause of the government of the United States, and this good will numbers of them are eager to manifest by enlisting in the military service of the country, should the government desire. Without exception, they are loyal to the cause of the republic.

By treaties made from time to time with various Indian tribes, large tracts of land were ceded by those tribes to the United States, and a consideration therefor was provided; the amount of this consideration, in whole or in part, it was stipulated should be invested for the benefit of the Indians either in stocks of the United States, in stocks of the individual States, or in other safe stock generally at an interest not below 5 per cent. In pursuance of these treaties such contemplated investments were from time to time made, and the charge and responsibility connected therewith, which were first concentrated in the act of 1837 in the Secretary of War, were subsequently, by the act of 1849, creating the Department of the Interior, transferred to the Secretary of the Interior. Those successive investments of moneys, paid by the United States for Indian lands, brought numerous State and other bonds into the custody of the Secretary of the Interior, which were held as a "trust fund" under his management.

By a report of the select committee of the House of Representatives (78th, 36th Congress, 2d session,) it is shown that an abstraction from the principal deposit of the bonds constituting this fund, and amounting in the aggregate \$870,000, was made during the incumbency of your predecessor. Those bonds have not been restored to the Department of the Interior, nor do I suppose likely they ever will be. The question then arises, on whom must the weight of this abstraction or defalcation fall? Shall the Indians, who are the dependent pupils and wards of this government, and who have parted forever with the lands for which these bonds were the consideration—shall they be made sufferers by the delinquency of confidential officers in the Department of the Interior, with whose appointment they had nothing whatever to do? The United States, when they engaged to manage the investments for the Indians, assumed all the responsibility which pertains to the offices of guardian and custodian. A great government like that of the United States will not cast a shadow on its dignity by a question about that responsibility. Taking it for granted then, that the fund so taken in trust by the government will be held intact for Indian benefit, I respectfully recommend that measures be adopted by Congress to insure to the Indians the value of the bonds abstracted; and further, that a law be enacted granting power to the Secretary of the Interior to dispose of all the State stocks now held in trust by the government, and the amount for which they were purchased be reimbursed to the Indians by investment in stocks of the United States for Indian benefit. It would also be advisable to provide, in the same law, that all Indian funds hereafter coming to the United States for investment shall be invested in United States securities only.

On this whole subject I have only further to remark, that besides the manifest justice of the foregoing considerations, the measures proposed commend themselves in the light of a wise policy. When the Indian is taught to feel that notwithstanding all that has passed, the government of the United States inflexibly determined to maintain its good faith with him under all circumstances, the moral effect will soon exhibit itself in consequences most gratifying.

The accompanying exhibit indicates the State stocks abstracted, and the fines for which they were held in trust.

In this connexion, I beg to remind you that in preparing estimates to be considered by Congress at its late called session, this office, then entertaining the views as above expressed, submitted, with your approbation, an estimate for the interest due, and to become due up to the end of the present fiscal year on the abstracted bonds, for the purpose of obtaining an appropriation to meet the interest due on those bonds. Owing to the press of other business before Congress, the subject was not entertained, and I beg now to renew my recommendation. The estimate will be found in Executive Document No. 1, 37th Congress, 1st session, House of Representatives.

I also recommend that an appropriation be made by Congress to meet the unpaid interest on those trust bonds of the revolted States yet in custody of the Secretary of the Interior. The interest on these bonds is, in most cases, the principal pecuniary resource of the Indian owners, and the failure to obtain this customary supply of means has proved to them a source of great embarrassment, and to the Indian Department itself one of much unpleasantness.

It appears from the tables hereto appended, and which are compiled from the most accessible sources, that the whole number of Indian tribes holding relations with the government is one hundred and fifty-two, comprising 239,506 souls, seven-twelfths of whom are females.

The schools of all kinds are 162 in number, having 5,950 pupils, under 186 teachers, whose compensation averages \$365 per annum to each teacher.

The agency best furnished with educational opportunities is that of New York; then follow, in the order of excellence, the Northern, Central, Southern, California, Oregon, and Washington superintendencies; the New Mexico and all superintendencies have no schools as yet, which is also the case with the Territories of Nevada and Colorado.

There are in all two hundred and forty-one farms (fenced) in cultivation by Indians or for Indian use, comprising an area of 6,112 acres; of which 2,956 acres are worked by employes in pay of the government, and 3,156 acres by Indians alone. The salaries of government farm employes average \$671 per annum.

The aggregate value of the movable personal property owned by the several Indian tribes is set down at \$4,670,053. Those in the best circumstances in this respect are the Shawnees, Wyandotts, and Delawares, who average more than \$1,000 to each individual; the poorest are the tribes and bands in Utah. Indian wealth consists chiefly in horses, ponies, and mules; but cattle, farming implements, and household furniture are rapidly becoming important objects of acquisition.

The moral and religious cultivation of the Indians is committed to seventy-seven missionaries, twenty-five of whom are of the Methodist Episcopal church North and South, the former of which are increasing in number; nineteen are of the communion of the Roman Catholic church; nine are Baptists; five are members of the Society of Friends; three are Congregationalists; two are of the Protestant Episcopal and one of the Lutheran church. The remainder are designated.

Besides the moral and religious object which is served by these devoted missionaries, great incidental good follows from their labors and presence amongst the Indians. Thus the Indians receive lessons by example as well as precept in industry of all kinds; in the arts and sciences; in agriculture; in domestic economy; in temperance, manner of life and behavior, dress and deportment. The great advantages which are thus communicated to those children of the great and prairie the imagination can more easily picture than the pen describe.

In the second section of an act entitled an act making appropriations for the

current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1854, the President was authorized to enter into negotiation with the Indian tribes west of the States of Missouri and Iowa, for the purpose of procuring the assent of said tribes to the settlement of citizens of the United States upon the lands claimed by said Indians, and for the purpose of extinguishing the title of said Indian tribes in whole or in part to said lands. To carry these provisions into effect \$50,000 were appropriated. Of this sum but \$1,096 95 remains; and as it is deemed important that moneys should be placed at the disposal of this department for the purpose of availing itself of the first favorable opportunity to enter into negotiations with certain Indian tribes now resident in Kansas, Nebraska, and Dakota, I have to recommend that the sum of \$50,000 be placed at the disposal of the Department of the Interior. This amount is regarded as small, as the Indians with whom the negotiations are to be made are numerous, and the cost of the requisite provisions, presents, &c., must be correspondingly large.

My experience so far as regards our relations to the Indians has satisfied me that there is a defect in the system of trade and intercourse with them, which requires a radical reform. A large portion of the annuities payable to the Indians is paid at once to the traders, who furnish from time to time during the year articles of merchandise, presumed to be suitable to the wants and necessities of that people. In some of the treaties it is stipulated that a certain portion of the consideration to be paid shall be applied to the purchase of goods and agricultural implements to be distributed to the tribes, as beneficiaries, resulting from our treaty engagements. In other cases, their treaties are mandatory requiring their annuities to be paid in coin. With a view to correct the evil resulting from this payment in money, which is often filched from the Indians by unscrupulous white men, or used as a medium for dissipation and intestine commotion amongst the Indians, I would respectfully suggest that the department be authorized by law to enter into conventional arrangements with the respective tribes, with a view of modifying the existing treaty stipulations in that respect, so that a discretion shall be vested in the Secretary of the Interior to divert the application of their funds in the purchase of goods, agricultural implements, stock animals, and other objects of a beneficial character.

No recent information has been received respecting the condition of the Indians of the State of New York, but the latest intelligence from them indicates that they will maintain the advanced position they have so long been vindicating thereby the capacity of the red race for indefinite moral and intellectual improvement. The Society of Friends at large have from time immemorial taken a lively interest in the condition of these people, and watched over their welfare in every respect with unceasing care. One of the principal agents of the society in these labors of love was the late Philip E. Thomas, of Baltimore, who, on account of his active and paternal supervision of the Indians, was designated as their representative to transact their business with the government. In the death of Mr. Thomas the Society of Friends have lost a true exemplar of their own characteristic and unpretending worth, and the Indian friend whose place it will not be easy to fill.

In concluding this my first annual report, I desire to advert again to the subject of Indian reservations, as I deem it of far more importance, as a means by which his interests, social, moral, and political, are to be secured, than any other. In a country like ours, where State after State comes into existence with such wonderful rapidity, unless some policy is adopted and rigidly adhered to, whereby a permanent home may be secured for the Indian, and himself be instructed and gradually conducted along the difficult paths by which all nations who have attained civilization have travelled, there seems to be no means by which he can be secured from falling an easy victim to those vices and temptations

tions which are perhaps the worst feature of our civilization, and to which he seems to have an almost irresistible inclination.

It is but a few years since the policy of locating Indians upon reservations so ample in area that they might to some extent indulge their roving propensities, has been so modified, that when they are so far reclaimed as to make it practicable, and desired by them, the reservation may be subdivided and allotted to them in severalty, and thus a home furnished for each member of the tribe, and, by the sale of the surplus lands, a fund provided, whereby they may begin their new mode of life under favorable auspices. Each succeeding year has served to demonstrate the wisdom of the change. That time and experience will suggest many improvements in the working of this policy, and in its practical details, is doubtless true; but I am well assured that it is the only plan yet devised by which the end we profess to seek, viz., the elevation of the Indian as a race in the scale of social existence, can be secured. Innumerable instances have demonstrated that he possesses capacities which, properly developed, would enable him to live creditably amongst the most enlightened nations. All experience has shown, that when the red and white races occupy the same territory, the former is quickly contaminated by the vices of the latter, rapidly deteriorates in physical and mental power, and very soon becomes well nigh extinct. In our broad and ample territories, as yet but sparsely occupied by whites, and in many portions of the newer States, very many localities still remain, possessing natural qualities, in location, climate, and soil, which, together with their seclusion from the immediate vicinity of the whites, render them peculiarly desirable as Indian reservations. It is with a hope that a sufficiency of these localities may, by the timely action of our government, be secured for the many Indian tribes, whose claims upon the fostering care and protection of our people may not be disregarded without lasting shame and reproach, that I have given this subject a prominence which in my judgment is far less than its merits deserve.

Very respectfully submitted.

WM. P. DOLE, *Commissioner.*

HON. CALEB B. SMITH,
Secretary of the Interior.

List of documents accompanying the report of the Commissioner of Indian Affairs for the year 1861.

SOUTHERN SUPERINTENDENCY.

- No. 1. Letter of the Commissioner to John Ross, principal chief of the Cherokee nation; Cyrus Harris, governor of the Chickasaw nation; M. Kennard, principal chief of the Lower Creek; Echo Hadjo, principal chief of Upper Creek, principal chief of the Seminole Indians west of Arkansas; and George Hudson, principal chief of the Choctaw nation.
- No. 2. Letter of Commissioner to the Secretary of the Interior.
- No. 3. Report of P. P. Elder, agent for the Indians within the Neosho agency.
- No. 4. Report of Wm. G. Coffin, superintendent.
- No. 5. Letter of Commissioner to Acting Secretary of the Interior.
- No. 6. Letter of P. P. Elder, agent, transmitting report of manual labor school of Osage nation.
- No. 7. Report of Paul M. Ponziglione, superintendent of the manual labor school of the Osage nation.
- No. 7½. Letter from Rev. Evan Jones to the Commissioner.

CENTRAL SUPERINTENDENCY.

- No. 8. Report of Harrison B. Branch, superintendent.
- No. 9. Report of F. M. Williams, superintendent of Methodist mission school for the Kickapoos.
- No. 10. Report of Josephus Utt, teacher of Iowa Indian school.
- No. 11. Report of Philip Breamer, farmer, Sac and Fox farm, Mo.
- No. 12. Report of Acting Commissioner Mix to Secretary of Interior.
- No. 13. Report of John A. Burbank, agent for Great Nemaha agency.
- No. 14. Report of Charles B. Keith, agent for Kickapoos.
- No. 15. Report of H. W. Farnsworth, of Kansas agency.
- No. 16. Report of R. J. Burt, superintendent of Omaha mission school.
- No. 17. Report of F. Johnson, agent of Delaware Indians.
- No. 18. Report of C. C. Hutchinson, agent for Sacs and Foxes.
- No. 19. Report of Commissioner to Secretary of Interior.
- No. 20. Report of O. H. Irish, agent for Omaha agency.
- No. 21. Rules and regulations to be observed in the execution and conveyance of lands assigned in severalty to Indians in Kansas.
- No. 21½. Rules and regulations to be observed in the conveyance of lands in Kansas, owned by Miami Indians residing in Indiana.

NORTHERN SUPERINTENDENCY.

- No. 22. Report of Clark W. Thompson, superintendent.
- No. 23. Report of L. E. Webb, agent for Chippewas of Lake Superior.
- No. 24. Report of D. O'Brien, teacher at Red Cliff.
- No. 25. Report of A. T. L. Pierson, superintendent of schools for the Upper and Lower Sioux.
- No. 26. Report of Ira S. Smith, superintendent of Winnebago schools.
- No. 27. Report of V. Smith, physician at Red Cliff.
- No. 28. Report of Geo. P. Townsend, physician at Chippewa agency.
- No. 29. Report of M. W. Carson, carpenter for Upper Sioux.
- No. 30. Report of Thomas J. Galbraith, agent for Sioux at Yellow Medicine.
- No. 31. Report of N. W. Miller, blacksmith for the Upper Sioux.
- No. 32. Report of Acting Commissioner to Secretary of the Interior.
- No. 33. Report of R. A. Spicer, teacher at Odanah.
- No. 34. Report of Lieut. A. D. Balcombe, agent of Winnebagoes.

COLORADO SUPERINTENDENCY.

- No. 35. Report of William Gilpin, governor and *ex officio* superintendent.
- No. 36. Report of Lafayette Head, agent of Labuacks Utahs.
- No. 37. Report of William Gilpin, governor and *ex officio* superintendent.
- No. 38. Letter of Capt. Elmer Otis to Commissioner.
- No. 39. Report of A. G. Boone, agent Upper Arkansas, transmitting safeguard from Albert Pike, as commissioner of Indian affairs for the Confederate States.

NEVADA SUPERINTENDENCY.

- No. 40. Report of James W. Nye, governor and *ex officio* superintendent.
- No. 41. Report of Warren Wasson, acting agent for Carson Valley agency.
- No. 41½. The same.
- No. 42. The same.

DAKOTA SUPERINTENDENCY.

- No. 43. Report of William Jayne, governor and *ex officio* superintendent.
- No. 44. Report of Acting Commissioner to Secretary of Interior.
- No. 45. Report of Walter A. Burleigh, agent for Yancton Sioux.

NEW MEXICO SUPERINTENDENCY.

- No. 46. Report of J. L. Collins, superintendent.
- No. 47. Report of Commissioner to Secretary of Interior.
- No. 48. Report of Wm. F. N. Arny, agent for Utah agency.

UTAH SUPERINTENDENCY.

- No. 49. Report of Benjamin Davies, late superintendent.
- No. 50. Report of Henry Martin, late superintendent.
- No. 51. Letter of Benjamin Davies, late superintendent, to Agent Humphreys.
- No. 52. Report of A. Humphreys, agent at Spanish Fork reservation.
- No. 53. The same.

CALIFORNIA SUPERINTENDENCY.

- No. 54. Report of John P. H. Wentworth, superintending agent for southern district.
- No. 55. The same.
- No. 56. Report of George M. Hanson, superintending agent for northern district.
- No. 56½. Letter of Commissioner to Elijah White, special agent.

OREGON SUPERINTENDENCY.

- No. 57. Report of Wm. M. Rector, superintendent.
- No. 58. Report of Daniel Newcomb, agent for Silitz agency.
- No. 59. Report of Henry William Ead, miller and sawyer of Grand Ronde agency.
- No. 60. Report of George H. Abbott, sub-agent.
- No. 61. Report of George M. Overman, farmer.
- No. 62. Report of E. S. Merrel, blacksmith.
- No. 63. Report of Lindsley Applegate, agent.
- No. 64. Report of William Miller, physician.
- No. 65. Report of James B. Condon, agent.

WASHINGTON SUPERINTENDENCY.

- No. 66. Report of W. W. Miller, late superintendent.
- No. 67. Report of R. C. Fay, farmer.
- No. 68. Report of Wm. F. Winsor, special agent.
- No. 69. Report of W. M. Morrow, farmer.
- No. 70. Report of E. C. Chirouse, teacher and missionary.
- No. 71. Report of W. B. Gosnell, agent.

MACKINAC AGENCY.

- No. 72. Report of Dewitt C. Leach, agent.

VICINITY OF GREEN BAY AGENCY.

- No. 73. Report of M. M. Davis, agent.
- No. 74. Report of Edwin R. Murdock, miller.

- No. 75. Report of Mrs. Jane Douseman, teacher.
- No. 76. Report of Harmon H. Martin, farmer.
- No. 77. Report of Myron McCord, teacher, &c.
- No. 78. Report of Rosetta Douseman, teacher.
- No. 79. Report of Harvey Fridl, blacksmith.
- No. 80. Report of Mrs. Sarah J. Slingerland, teacher.
- No. 81. Report of Rev. E. A. Goodenow, teacher.
- No. 82. Report of Jeremiah Slingerland, teacher.
- No. 83. Report of Joseph A. Williamson on trust fund.
- No. 84. Statement of Indian trust fund, (No. 1.)
- No. 85. Statement of Indian trust fund, (No. 2.)
- No. 86. Statement of Indian trust fund, (No. 3.)
- No. 87. Statement of Indian trust fund, (No. 4.)
- No. 88. Statement indicating schools, population, wealth, &c., of the Indian tribes which are in direct connexion with the government of the United States.

No. 1.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, May 11, 1861.

SIR: This will be handed to you by Mr. Wm. G. Coffin, who has been appointed by the President superintendent of Indian affairs for your district, in the stead of Superintendent Rector, and for whom I bespeak your friendship and assistance in the performance of his duties.

I have known Mr. Coffin for twenty years, and believe him to have the necessary qualifications for his position among your people, and I am glad to be able to give the most positive assurance that he is a man upon whom the President can implicitly rely to carry out the well-settled policy of his administration; a part of which is, that in no event, and under no circumstances, shall your domestic institutions be interfered with by any of its officers or employes. I make this statement because I am well aware that in regard to this subject the President has been, and will continue to be, misrepresented by bad and unscrupulous men for party purposes, and in order, if possible, to inflame and array the various tribes of your people against the government.

I am exceedingly anxious to have honest and capable agents throughout the Indian country, whose greatest pride it shall be to honestly and efficiently execute the trusts confided to them, and it will be my pleasure, as well as duty, to urge upon all appointees a strict compliance with all treaties entered into between the United States and the Indian people, to do exact justice, and cultivate friendly relations between the red and white man.

The present disturbed condition of the country will render it more than ordinarily difficult for our agents to discharge their duties among the wild tribes, but I have reason to believe that the intelligence and civilization of the tribes in your country, and especially of their headmen and chiefs, will go far to lessen this difficulty in the case of Mr. Coffin and the agents in his superintendency. In the unfortunate contest now existing between this government and its rebellious people, I hope we shall have the support and sympathy of your people, and I trust you will convey to them my strongest assurances that while the government and our people will, if necessary, sacrifice their lives and their fortunes in maintaining the Union and the Constitution, and in the enforcement of the laws, all of which they dearly love, they will never wage a war against the constitutional right, or the domestic institution of any State or people.

A communication from this office has been addressed to the War Department requesting that troops and munitions of war may be furnished to your territory to protect your people against the depredations of all parties, whether claiming to be for the Union, or the avowed aiders and abettors of treason, and I have assured the President that he need have no apprehensions of trouble with your people in his endeavors to preserve the Union and the Constitution and enforce the laws, and in this assurance I have full confidence that I am not deceived.

With assurances of my personal regard, I remain, with respect, very respectfully, your obedient servant,

WM. P. DOLE,
Commissioner.

Copies of the above forwarded to the following addresses, per Mr. Coffin :

JOHN ROSS, *Principal Chief of the Cherokee Nation, Tahlequah, Cherokee Nation, west of Arkansas.*

CYRUS HARRIS, *Governor of the Chickasaw Nation.**

M. KENNAARD, *Principal Chief of the Lower Creek.*

ECHO HADJO, *Principal Chief of the Upper Creek.*

PRINCIPAL CHIEF *of the Seminole Indians west of Arkansas.*

GEORGE HUDSON, *Principal Chief of the Choctaw Nation, Doaksville, Choctaw Nation, west of Arkansas.*

No. 2.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, May 30, 1861.

SIR : I desire again to call your attention, and through you that of the War Department, to what seems to me the necessity of sending a military force into the Indian country west of Arkansas. My information from the tribes in that country is to the effect that extraordinary efforts are making by emissaries from the so-called southern confederacy to induce the Indians in that country to unite their destinies with them, and take up arms against the government of the United States, and that a majority of these Indians are disposed to be true to their allegiance to the government ; but, as is found to be the case in some of the border slave States, this majority is overawed by the minority, who band together to make war on the legitimate government. Experience has shown that in all such cases the presence of even a small force of federal troops located in the disaffected States has had the effect to preserve the peace, encourage the friends of the Union, and induce the people to return to their allegiance.

That this same result would be produced in the Indian country I cannot doubt, as they can have no inducement to unite with the enemies of the United States unless we fail as a nation to give them that protection guaranteed by our treaty stipulations, and which is necessary to prevent designing and evil-disposed persons from having free intercourse with them, to work out their evil purposes.

I again repeat that my conviction is, that a military force of two or three thousand men located in the Indian Territory, near the borders of Arkansas and Texas, would have the effect to secure the neutrality of the Indian tribes in our southern superintendency, besides having a salutary effect upon the States mentioned ; and that unless this course is adopted by the government we shall soon find it impossible to maintain our agencies with the Choctaws, Chickasaws, Creeks, and other tribes on our southern borders, and incur the danger of having many thousands of these savage warriors in arms against our people. Our duty under treaty stipulations requires that we protect these tribes from the mischief-

ous intermeddling of white persons without their borders, and our interest as well as that of the Indians, it seems to me, demands that steps should be taken to secure peaceable relations with them.

I have the honor to remain, very respectfully, your obedient servant,

WM. P. DOLE,
Commissioner.

HON. CALEB B. SMITH,
Secretary of the Interior.

No. 3.

OFFICE NEOSHO INDIAN AGENCY,
Fort Scott, Kansas, September 30, 1861.

SIR: I herewith submit the following as my first annual report of the affairs of this agency. Immediately after receiving the appointment as agent, I repaired to Crawford Seminary, in the Quapaw nation, and received from Agent Dorn what money and other property he turned over to me as the effects belonging to the government. I remained at the agency but a short time before it became evident that my presence in that vicinity, bordering as it does on the Missouri line, not far from the rendezvous of the rebel army in the southwest, would excite the rebel community around to hostile demonstrations upon me personally, and the property of the government. I therefore deemed it prudent to remove such of the records as I could unsuspectedly from that place to Fort Scott, about the 10th of July. Since that time I have not been permitted to appear among the Quapaws, Senecas, and Senecas and Shawnees, or have any intercourse with them only by such means as I could best adopt secretly. I have been able, to some extent, to counteract the false impressions extant among southern Indians, "that there was no government but the tottering fragments and discordant elements of the old government" existing. I am happy to report that the good sense of those tribes living contiguous to Missouri, together with the impressions I have secretly conveyed to them by various means, have prevented them from heeding the rebellious solicitations of Cherokee half-breeds and other influences which surround them. From recent investigations I am satisfied they are inspired with a confidence in our government which is truly commendable. The Quapaws, Senecas, and Senecas and Shawnees, by the aid received through Special Agent Whitney, were relieved from an embarrassing situation, and have succeeded in cultivating their farms extensively, and will receive a bountiful reward for their labors. The advanced state of civilization and industry to which these tribes have attained renders it of the greatest importance that some plan be devised by which schools could be established among them, and the rising generation of the half-breeds, and others who are thus inclined, might receive the benefit of at least a common school education. Within these reservations the soil is unsurpassed in richness and the climate salubrious, extensively timbered and watered, and generally healthy; and all combined renders this peculiar locality one of the most favored reservations I have seen west of the Mississippi. In consequence of the extreme danger incident to a visit among these tribes and the employés, and the mail facilities being cut off, I have not been able to obtain reports from the several employés connected with those tribes to forward to the department with this report.

The Osage Indians, differing from the Quapaws and Senecas in habits of civilization, are situated on a beautiful strip of country within the boundary of the State of Kansas. Some of the bands of this tribe show strong symptoms of changing the practice of hunting for that of agricultural pursuits, and in

many instances have built houses and fences, cultivated small patches of land, raised corn, &c., of which they are proud to speak. These impressions have been imbibed by the generous efforts and kind advices of those worthy fathers connected with the Catholic mission establishment, and conducted in their midst for the last fourteen years. These bands now express great anxiety to change the Indian habits to those of the white man.

The want of oxen and implements to farm with embarrasses them in this laudable effort. They can and do split rails and build fences, and, with the proper encouragement, will steadily advance in agricultural pursuits. They own large numbers of ponies and horses, but as yet live mostly by hunting, especially those bands living away from civilization.

They having been gone on the hunt nearly all summer, I have been as yet unable to take any census of this tribe, or inventory of their property. Great efforts have been made by Cherokee half-breeds, and other emissaries from the self-styled southern confederacy, to create a spirit of disloyalty among this tribe; councils have been called; consultations held with some half-breeds, chiefs, and headmen of the notorious John Mathews, a noted rebel, who has long lived among them as a trader, and having been connected with this tribe by marriage, had the facilities for exercising a powerful influence over them. I am happy to inform the department that his efforts to place this tribe of Indians under the control and influence of an agent from the pretended southern confederacy have been effectually checked by his being shot by Colonel Blunt's command, and his band connected with him in his rebellious efforts broken up about the 20th of September; thus giving quiet and safety not only to the half-breeds, but the unfortunate Indian. From the manner of living, and the habits of this tribe of Indians, they are fast declining and dying off.

I should do injustice to the very generous and laudable efforts of those fathers under whose supervision the Osage manual labor school is if I failed to mention it in this report. From a personal and thorough examination of this institution in both of its departments, I am satisfied that the influence and superior exertions made by them in behalf of these Indians will be seen and felt when this generation shall have passed away. It is truly deserving the fostering care of the government, and will, if properly supported with funds, be the means of ultimately civilizing that now benighted tribe.

I herewith transmit the annual report of that school:

Name of tribe.	No. of souls.	Wealth.	No. of schools.	Designation and location.	No. of scholars—males.	No. of scholars—females.	No. of teachers—males.	No. of teachers—females.	Religious society.	Amount of money contributed by societies.	Amount contributed by individual Indians.	No. of missionaries and denomination.
Senecas....	..	....	....	.....	....	..	..	..	.....	.....	.....	.....
Quapaws....	..	....	....	.....	....	..	..	..	.....	.....	.....	.....
Senecas and Shawnees.	..	....	....	.....	....	..	..	..	.....	.....	.....	.....
Osages.....	1	....	1	Osage Catholic mission, Osage nation; used also for benefit of Quapaw nation.	100	90	4	4	Roman Cath.	About \$9,000 has been contributed by benevolent and charitable persons since 1847.	....	Three clergy and 2 brothers, and 14 Sisters of Loretto in female department. Roman Catholic.

I certify on honor that the foregoing is correct as reported to me by the superintendent of the above school, and that from the danger and difficulties incidental to this rebellion, and the frequenting of that country by a band of rebels, has prevented me from obtaining further information.

P. F. ELDER, *United States Neesho Agent.*

As far as I have been able to ascertain, the employes have been doing their duty. One or two, I have been recently informed, have left their charge, which will be duly reported as soon as an investigation can be had. I desire to impress upon the department the importance of strict compliance with all treaty stipulations as to pay of Indians and employes connected with this agency; being peculiarly situated between rebellion and loyalty, they would be more inclined to believe that our government had failed and passed away if their pay should stop. This idea is constantly being impressed upon both Indians and employes by those rebellious spirits who have access and occasionally confer with them.

Very respectfully, your obedient servant,

P. P. ELDER,

United States Neosho Agent.

WILLIAM G. COFFIN, Esq.,

Superintendent of Indian Affairs S. S.

No. 4.

OFFICE OF SUPERINTENDENT OF INDIAN AFFAIRS,
Humboldt, Kansas, October 2, 1861.

SIR: I have the honor to transmit this, my first report, for your consideration, regretting that I have not been able, by a more extended examination into the wants and general condition of the Indian tribes in this superintendency, to make it of more interest to the government and the public.

It is known to you that the Indian Territory is bounded on three sides by States now in rebellion against the government, and I regret to say that this desirable country, having excited the cupidity of the so-called southern confederacy, emissaries, under the guise of commissioners, superintendents, and agents, have been actively engaged in alienating the affections of these tribes from the government, and in inducing them to take up arms in defence of treason and traitors. Every means has been resorted to that human depravity could conceive or sordid avarice suggest, in the way of false representations, extravagant promises, threats, and persuasions, to swerve these Indians from their loyalty to the government. The consequence has been to render it unsafe for any person not known to be thoroughly identified with the rebellion under any pretence to visit them, or for any person at all suspected of entertaining Union sentiments to remain among them. Owing to these facts I am unable to make such a report as to the details of the condition of the various tribes as my instructions, received at various times from the department, contemplated; nor have I received any report from the agents embodying the information that would have supplied, to a great extent, the lack of that which I had hoped to procure from personal examination. The only tribes I have been able to reach are the Osages, Quapaws, Senecas, Shawnees, and a part of the Cherokee nation.

The report of the Neosho agent, P. P. Elder, esq., has not reached me, doubtless in consequence of the irregularity of the mails on this exposed frontier. It will, however, be forwarded immediately upon its receipt, and I hope will reach you in time to be embraced in your report.

The feeling of the Osages is favorable to the Union, the loyalty of most of the tribe still unshaken, although a few of their half-breeds have been found in company with roving bands of the white vagabonds and thieves who have been employed in robbing and driving Union men and their families from their homes. The ringleader, John Mathews, has, through the prompt action of General James H. Lane, already met a traitor's doom, while others, of less notoriety and influence, have been compelled to flee from the country. These remarks will

apply equally to Quapaws, Senecas, and Shawnees. The chiefs and headmen of the Cherokees gave strong grounds for the hope that, through the influence of their head chief, John Ross, they would be induced to remain true to the Union and themselves. This hope has, however, proved fallacious, and the entire nation has succumbed to the insidious influence that has been brought to bear, as before stated, and I am creditably informed that they have entered into a treaty with Albert G. Pike and Elias Rector, the first being, or pretending to be, commissioner of Indian affairs for the southern confederacy, the latter as superintendent of Indian affairs, acting under the same authority, which treaty, I learn, however, is far from being satisfactory to the Cherokee full-bloods, having been brought about by the most scandalous frauds, misrepresentations, and corruptions, on the part of the above-named agents and their half-breed friends, together with a class of white men of no character, who have long lived among these Indians. It is, however, believed by those well informed that so soon as a sufficient military force is sent to expel traitors and protect Union men in the expression of their sentiments, a very large majority of the full-blood Indians would be found loyal to the government.

The Creeks, though they have been most sorely importuned, have not, or had not at the latest dates, yielded to their wily foes, and it is not known that any of the other smaller tribes have been seduced from their allegiance to the government.

Measures have been taken (of which I have fully advised the department) to secure the attendance of a delegation from most of these southern tribes, at Humboldt, at an early day, from which I hope much good will result.

Very respectfully, your obedient servant,

W. G. COFFIN,

Supt. of Indian Affairs for the Southern Superintendency.

Hon. WM. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 5.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, August 15, 1861.

SIR: I have the honor herewith to transmit copies of a letter from H. B. Branch, esq., superintendent of Indian affairs, (central superintendency,) together with one from Agent Ross, in which mention is made of the approach of hostile Indians upon the plains, and the request preferred that the agent may be furnished with the means of arming the friendly Indians. I have already, in former communications to the Secretary of the Interior, requested that the papers transmitted asking for the help of the government against enemies upon the borders of the Indian country be referred to the Secretary of War; and if you concur in the view, you will please to give the above papers the same reference, with the request that where United States soldiers cannot be furnished, arms and ammunition should be given to the Indian agents, to be used in their discretion in supplying the friendly Indians with the means of defence.

Very respectfully, your obedient servant,

WM. P. DOLE, *Commissioner.*

W. J. SMITH,

Acting Secretary of the Interior, Washington.

No. 6.

OFFICE NEOSHO INDIAN AGENCY,
Fort Scott, Kansas, October 15, 1861.

SIR: I herewith transmit the report of the superintendent of the manual labor school of the Osage nation. It failed to reach me in time to transmit with my annual report. I sent my annual as well as my quarterly report to Superintendent Coffin, at Humboldt. I learn to-day the town has been taken and burnt by rebels. If this be true, all the papers I sent may also be burned. The rebels, 800 strong, are reported by our scouts in four miles. I shall take care of all papers, if possible, and go on military duty. Hence I send this report direct to the department, hoping it will be all right, as I mention it in my report.

Very respectfully, your obedient servant,

P. P. ELDER,
United States Neosho Agent.

WM. P. DOLE, Esq.,
Commissioner of Indian Affairs.

No. 7.

OSAGE MANUAL LABOR SCHOOL,
State of Kansas, Dorn County, Sept. 2, 1861.

SIR: I feel happy in stating that our manual labor school for the benefit of both Osage and Quapaw nation this year has been improving more than usual, the number of children having been in the male department an average of one hundred, and of ninety in the female.

The health of our pupils, though very good at present, has been very bad during last spring. The want of more suitable buildings for their accommodation has to be accounted as one of the causes of it; for this is certain, that, whenever there is a large number of children living together, especially Indians, a sickness, no matter what, will very soon become contagious, unless the patients be set apart in a well-appropriated establishment. For this reason, I can but insist on the necessity of providing this mission with some large and well-ventilated buildings, especially for the female department, as Rev. T. Schoenmakers did state in his report of last year, as well as in his letters to the Department of Indian Affairs.

To what concerns the moral improvement of this manual labor school, I am proud to say that this is becoming every year more and more sensible; and this mission having been established merely as an experiment, to see whether the Osage children were capable of intellectual cultivation, I am bound to say that the experiment proved very successful; and on this I have the unanimous testimony of all those who have visited our school.

However, though this be true, still, let none think that the Osage nation at large has been or will soon be civilized on account of it. No; the good success of any Indian school is but the first step towards civilization, and no school, no matter how excellently conducted, will ever succeed in turning a nation from the state of aboriginal barbarism into that of civilization, unless the pupils, once they have left the school, are kept up and assisted by qualified guardians. For, as long as children who succeeded perfectly well during the time of their education will be allowed, once they quit the school, to be thrown by their parents or connexions into a condition not much better than that of slaves, and

will be compelled by them to return to their former wild habits, nothing or very little can be expected from them for the future improvement of a whole nation.

And here I wish to be understood I speak in general. I want by no means to advocate a system of compulsory education or tutorage. All that I wish is, to call your attention on this truth, that, namely, the Indian is not like the white man. A white man understands what is the benefit of education, and is ready to submit to hard sacrifices to have his children well educated. But the poor Indian does not see any advantage in it, and so, generally speaking, does not appreciate education at all. Hence, to make him esteem this great benefit, the education given to his children at the missions, for at least a certain number of years, should be so conducted as to bring not only moral advantage to the pupils, but also real, sensible profit to their parents or connexions; in a word, to those who raised them. This system would at once produce a great change in their ideas: they would look upon the education of their children as on a great blessing; they would hurry on bringing them to school, and the mission houses would soon be too small to accommodate the number of the pupils presented.

Let, for instance, a peculiar care be taken of the boys as well as of the girls educated at this Osage school; let those who have been more distinguished for good conduct and industry have right to a reward according to their merits; let this reward be given them with prudence, and at a seasonable time, when, namely, they will stand more in need of it—as, for instance, when they will locate themselves in a state of life, as that of matrimony; let them have help in raising their houses, fencing their fields; let them have articles of house furniture, implements of agriculture; let there be prizes set on for those who will make the best improvements, either in the way of building, or of farming, or any other branch of industry; let prizes be assigned for those who will raise the best stock, as cattle, horses, hogs, &c.; let them have good mechanics to help them, and let all this be directed by faithful, disinterested, and moderate managers, who will try to keep up in the minds of the youths those principles of religion, honesty, and morality which they have learned at our mission, and the effect will be that they will never more return to their foolish superstitions; they will be ashamed of idleness; they will forget the animosity between tribe and tribe; they will esteem virtue. Religion would then soon triumph among them, and produce by degrees the sweet fruits of civilization, now so much desired.

If government would at present appropriate for this Osage nation an extra sum of at least \$10,000, to be paid annually for the carrying on of this plan; if this sum would every five years be raised in proportion of the annual improvement made, I dare to say that, in less than twenty years from this day, our missions would succeed in drawing the majority of the Osages to adopt the life of honest farmers. The adoption of this plan, or of any other like this in benefit of the Indians, would in a few years not only be profitable to them, but to society at large. The money employed by government in this work would not be lost: it would, as it were, be put to interest, to the greatest advantage of the whole country.

The education we give includes also manual labor; and here again I must say that our pupils, both boys and girls, do distinguish themselves each one according to their capacity, for they are willing to work and can work perfectly well; all that they need is to be assisted and encouraged afterwards.

This is as much as I thought proper to expose to you about this Osage manual labor school. Times are at present hard around us, but thanks to that mighty Providence by which everything is governed, we did not, so far, suffer anything from the hostile parties who ran the country. We hope that this our institu-

tion will not be interfered with, and will continue to flourish for the advantage of both Osage and Quapaw nations.

Very respectfully,

PAUL M. PONZIGLIONE,
Superintendent of the Osage Manual Labor School.

P. P. ELDER,
United States Indian Agent for the Osage Nation.

No. 74.

LAWRENCE, *Kansas, October 31, 1861.*

SIR: I have taken all the pains I could to find a messenger on whom I could rely to go to the Cherokee nation. But the intervening country, comprising the neutral ground and the Neosho valley, has been so infested with banditti that intercourse with the Indian Territory proper has been practically cut off. Two or three times I had hopes of succeeding in getting a messenger who would go through, and I wrote to Mr. Ross three several times, under somewhat varying circumstances, embodying your message each time. The first I sent to an Indian who was going down south, but I afterwards learned that he did not go on account of the dangers he would have to encounter. To two others I offered twenty-five dollars if either of them would carry a message and bring me back an answer. About the first of this month I thought I had found a man who would certainly go through; he was in company with fifteen other Indians—Shawnees, Creeks, Kickapoos, and Choctaws—who live about Little river, near the Seminole country. They had come over four hundred miles to find out the truth about the war for the information of the full Indians in that region. At home they could hear nothing, but through the half-breeds, and on many of them they could not depend.

I had considerable conversation with this man in the course of several days his company stayed here. He said the full Indians among the Creeks, Cherokees, and Seminoles were all faithful to the Union, and were depending on the President for protection. Many of the half-breeds he said had gone off from their allegiance to the government. Among the disaffected in the Creek nation he named Chilly McIntosh, Lewis McIntosh, Unece McIntosh, and M. Kennard, the present principal chief, and others; but Rolly McIntosh, formerly principal chief of the Creek nation, and Ben Marshal, a prominent man among them, had not yielded to the secession pressure when they left home. Old O-poth-le-yo-lo, also formerly principal chief of a large portion of the Creek nation, and who still exerts great influence among them, was thoroughly loyal to the United States government. The full Indians, he said, among the Creeks and Seminoles, as well as among the Cherokees, have all confidence in the friendship and patriotism of John Ross, and his loyalty to the government of the United States.

All this agreed so well with what I knew to be the general disposition of the parties that I at once accepted his statement as true. He said he was coming back in November as far as Humboldt. I offered him twenty-five dollars if he would deliver a letter to John Ross and bring me an answer, but he declined to undertake it. I suppose he was afraid of being intercepted with documents in his possession.

I was perfectly astounded at the announcement of the defection of John Ross and the Cherokees. I could not have given credit to it, but for the apparently authentic statement that the government had certain information on the subject, and had acted on it in the confiscation of their annuities, and the fact also that the border was commanded by the rebels, who have cut off all intercourse with

the loyal States, and have their army there ready to enforce compliance with any demand the southern emissaries might make.

I have no doubt the unfortunate affair was brought about under stress of threatened force, which the Cherokees were by no means able to resist. But greatly as this defection of our old friends is to be lamented, I feel assured that it was an unwilling surrender, and that it only needs a sufficient force to afford them protection to secure a speedy and cordial return to their former allegiance and an abjuration of whatever reluctant alliance they may, under duress, have formed with rebel States.

In consideration of the unfavorable circumstances in which the Cherokees were placed, I have no doubt the President will be disposed, on their return, to treat them with a generous lenity and forbearance, which will bring about a restoration of that confidence and good understanding which have so long and so happily existed between them and the government and people of the United States.

I expect to have an opportunity to send down in a very short time by a thoroughly reliable man, who is well acquainted in the nation and in Arkansas.

His plan is to go through Missouri and Arkansas if he can—the ways through the neutral land being infested with banditti, the comrades of those who plundered and burnt Humbolt.

I had thought of sending a verbal message by him, representing the intentions and wishes of the government previous to their defection; and if, under the circumstances, you should think proper to say anything more, or anything different, I could do so.

If you can spare a moment amid your pressing calls to send me a line, it would be very gratifying.

And should there be anything else I can do, it will give me great pleasure to attend to it.

Should the federal army be successful in clearing out the way into Arkansas, I should like to go to the Cherokee nation myself, and in that case I shall be happy to do anything you may desire among them as far as I am able.

Very respectfully, your obedient servant,

EVAN JONES,

Of the Baptist Mission, Cherokee Nation.

Hon. WM. P. DOLE,

Commissioner Indian of Affairs, Washington City, D. C.

No. 8.

OFFICE SUPERINTENDENT INDIAN AFFAIRS, .

St. Joseph, Mo., October 22, 1861.

SIR: In obedience to a rule of the department I have the honor of submitting my report for the year ending September 30, 1861.

I regret to say that the duties of this office are so pressing and arduous that I have very little time to visit the different agencies in this superintendency; and as the few reports received from the agents contain but little information, my report must necessarily be meagre.

From my limited personal observation, the reports of the different agents, and frequent conversations with well-informed parties, I am compelled to say that but little improvement has been made in the condition of the Indians the past year.

Of the annuity goods received the past year there were no missing packages,

but all came to hand in good order, and were duly forwarded to their respective destinations, giving entire satisfaction so far as heard from.

By reference to the report of Agent Burleigh, it will be seen that, by an accident to the steamboat "J. G. Morrow," the annuity goods for the Yancton Sioux Indians were so materially injured as to prove nearly a total loss. There have been serious disturbances among this tribe of Indians, growing out of the attempts of the agent to displace unscrupulous traders, and thus destroy the illegal traffic in intoxicating liquors at his agency. I beg leave to say that, in my opinion, the agent should be protected and sustained in his efforts to elevate the condition of these tribes.

By the burning of the steamboat "Chippewa," in June last, the annuity goods for the Blackfeet Indians were lost; and I respectfully submit to the department the propriety of sending them a double supply of goods next year. As no report has yet been received from the agent I have no knowledge of the condition of these tribes.

The unsettled condition of the country induces me to recommend that remittances of funds to the different agents be made directly to them, thus more perfectly insuring their safe transmission.

The different tribes of Indians in Kansas and Nebraska have received their supplies; the prospect before them for the winter is good, and they are peaceful and loyal.

The question of the organization of the Indians into military bands for the defence of Kansas and Nebraska has been agitated considerably, but I beg leave to report adversely to the measure. The Indians, as at present situated, must follow the chase, and they cannot engage in war and also pursue the hunt, while civilization and humanity demand that they confine themselves to peaceful avocations, and that the hatchet, now buried, be never brought to light by those whose mission it is to advance them in the arts and pursuits of peace.

With regard to the treaty with the Delaware Indians, I beg leave to say that, in my opinion, it will result beneficially to the Indians, and to the present and future settlers of Kansas. By this treaty a large area of land, heretofore unproductive, will be converted into homes for those who will speedily cultivate and improve the entire tract.

The duties of this office have become so onerous and pressing, and the labor have increased so materially, that I would respectfully ask to be permitted to employ an additional clerk at a salary of twelve hundred dollars per annum, dispensing with the services of a porter and messenger, and applying his salary towards the payment of an additional clerk.

I would respectfully recommend that the efforts of the agents to remove the whiskey traffic from their respective agencies be seconded by the department. In my judgment more rigorous and effective laws should be enacted, punishing severely those guilty of violating their provisions, and the Indians should be rewarded with presents for sobriety.

The wide expanse of country lying to the west, not heretofore needed for the occupancy of white men, has hitherto afforded the Indians so inviting a theatre to roam over, that the efforts of the government to elevate them to a higher civilization have not been crowned with a success commensurate with the means employed.

This vast country is now desirable for the location and settlement of pioneers who are, and have been, the vanguard of progress and civilization. This being so, the chase is necessarily destroyed to an extent that renders it an uncertain pursuit for the Indians longer to follow as a means of subsistence. The necessity for the Indians to adopt the habits and customs of the white man is immediate and imperative.

The most of the tribes under this superintendency are located upon "reserves" selected by the government for their occupancy. These "reserves" are the

most fertile and desirable lands in the region of their location, but are mostly uncultivated and unoccupied, while the least desirable lands, outside of the Indian reservation, are cultivated and occupied to a great extent by white settlers. I would respectfully recommend that these "reserves" be surveyed, and that forty acres be set apart in severalty to each Indian, and that the remainder be sold, and the proceeds be applied, under the direction of the local agent, to the improvement of the said forty acres, and the purchase of implements necessary to their proper cultivation. To this end, I would recommend that treaties be made with the Pottawatomies, Kickapoos, Omahas, and other tribes in Kansas and Nebraska.

In conclusion, I have the pleasure of stating that all the tribes under this superintendency are in the enjoyment of good health, and generally manifest a desire to aid and assist the government in its present efforts at self-preservation.

Very respectfully, your obedient servant,

H. B. BRANCH,
Superintendent Indian Affairs.

Hon. WM. P. DOLE,
Commissioner, Washington.

No. 9.

METHODIST MISSION SCHOOL,
Kickapoo Reservation, September 17, 1861.

SIR: In making out this my first report for the Kickapoo school, I do so with no small degree of embarrassment.

The attendance from April 1st to date has been as follows:

Males, eighteen; females, two; making a total of twenty. One teacher only has been employed, and one missionary, under the charge of the Methodist Episcopal Church, South.

No moneys have been contributed by the society, and nothing by individual Indians. We took charge of the Kickapoo school during the second quarter, and owing to the dilapidated condition of the buildings, the pressure of money matters, and the influence of the war excitement upon the Kickapoos, our school has not been as prosperous as it otherwise would have been. The Indians, however, seem to be well pleased with the school, and but for the political troubles of our country, would patronize it much more liberally.

Upon taking charge of the school, we found none of the pupils capable of reading correctly; but in the short space of a few weeks their progress has been quite encouraging.

No pains have been spared in cultivating their moral nature as well as their intellectual faculties. They have religious services every Sabbath, and family worship during the week, and still much remains to be done for this benighted tribe of Indians. They feel, and acknowledge, their great intellectual inferiority to the white man.

With the highest regard for, and attachment to the government of the United States, the above is most respectfully submitted.

F. M. WILLIAMS,
Superintendent.

CHARLES B. KEITH, Esq.,
United States Agent for the Kickapoos.

No. 10.

IOWAY INDIAN SCHOOL,
September 18, 1861.

SIR: In compliance with your request, I herewith transmit to you my second annual report of the Ioway Indian school, upon the "Ioway reservation."

The attendance during the winter was, owing to the inclemency of the weather and the half-clad state of the pupils, necessarily limited to a few; and I may add, that unless your efforts are seconded by the government, in procuring comfortable clothing for the coming winter, these half-clad "children of the forest" cannot be expected to attend the school. The attendance of the pupils during the spring and early part of summer was as good as I could have anticipated; but owing to ague and sore eyes the latter part of the summer and early part of the fall they have attended indifferently. The progress of many of the pupils is indeed flattering; and to secure the desired result of educating these "children of nature" it will require great skill, knowledge of Indian character, patience and perseverance, seconded by inducements from the government, and in a few years these Indian children would be able to emulate their white neighbors in the battle of life.

The total number of pupils in attendance is forty-two, (42;) of these, thirty-four (34) are males, and eight (8) are females; as yet nothing but the juvenile branches are taught, viz: A B C, spelling, reading, writing, and a few learning arithmetic.

Very respectfully, your obedient servant,

JOSEPHUS UTT, *Teacher.*

JOHN A. BURBANK, Esq.,
United States Indian Agent.

No. 11.

SAC AND FOX MISSOURI FARM,
September 18, 1861.

SIR: In compliance with your request, I herewith transmit my first annual report as farmer.

On assuming my duties on the 1st of May last, I found the farm belonging to the Indians in bad condition, the fences being old and dilapidated.

The crops raised this season consist of about 40 acres of corn and about 5 acres of beans and potatoes. The crops are fair, but not as good as they usually are in this part of the country, owing in part to the lateness of planting.

The principal object I had in view was not to farm so extensively, but to teach and encourage the Indians to work. These Indians are so prejudiced against any kind of labor, that I fear all efforts made to get them to abandon their old prejudices against labor will be lost, and the only real benefit a farmer can be to them is to assist them so that they can raise the few necessities of life, which they are compelled to have. I fear this plan of raising a large crop and issuing it to them monthly is a waste of time and money, and encourages them in idleness.

During the next year I hope to be able to enlist a few in the most desirable and to them *new*, enterprise of tilling the soil.

Very respectfully, your obedient servant,

PHILIP BREMER,
Sac and Fox Farmer

JOHN A. BURBANK, Esq.,
United States Indian Agent, Great Nemaha Agency.

No. 12.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, September 19, 1861.

SIR: I have the honor to transmit herewith the copy of a communication of the 24th ultimo, from Agent Keith, of the Kickapoo agency, through Superintendent Branch, of the central superintendency, conveying information in relation to the tampering with the chiefs of the southern tribes by late Superintendent Rector, Albert Pike, and others. A report from this office was sent to you on the 30th of May last, which communicated information concerning those tribes, and offered the suggestion that troops should be sent among them, to preserve their neutrality and keep emissaries from them.

Attention was again called to the condition of our Indian relations in the west on the 28th of June last, by submitting the request of Agent Burleigh for authority to raise two companies of volunteers to garrison Fort Randall, which request I considered justifiable and proper, as a precautionary measure. And again, on the 17th of July last, this bureau transmitted the copy of a communication from Superintendent Collins, of New Mexico, with accompanying papers, indicating the distracted condition of our federal relations in that country, and suggested that the magnitude of the interests involved in that region, and also on the entire frontier west of the western border States, induced it to recommend you again to call the attention of the Department of War to this subject, and urge immediate action in the premises.

With the view, if you think it proper to call again the attention of the War Department to the subject, I enclose copies of these reports.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

HON. CALEB B. SMITH,
Secretary of the Interior.

No. 13.

GREAT NEMEHA AGENCY,
Nebraska Territory, September 19, 1861.

SIR: In compliance with the regulations of the Indian department, I submit the following as my first annual report:

The general health of the Indians within this agency at this date is good, and but few cases of sickness exist. The Sacs and Foxes of Missouri, at a recent census, numbered seventy souls, being a decrease of about one hundred in the last year. Besides natural causes, this diminution may be accounted for, in part, by the removal of some to unite with the Sacs and Foxes of the Mississippi, under the treaty with that tribe, of 1859. The Sacs and Foxes of Missouri have about one hundred and twenty-five acres under fence, most of which has been cultivated, and has produced an excellent crop of corn, beans, &c. The Ioways number, according to the last census, three hundred and five souls. They have twenty-one fields and patches, containing about two hundred and twenty-five acres, all of which has been cultivated this year, which has produced over an average crop of corn, wheat, beans, potatoes, &c. Both tribes have cut and put up hay to subsist their stock the ensuing winter.

The school under the care of Mr. Utt contains thirty-four boys and eight girls, and is as prosperous as could be expected. The Indians of this agency are indiffer-

ent to schools. They want houses, farms, and agricultural implements, and money. They are averse to removals, seem convinced of the importance of settled homes, and except, for the disturbing influences of the secessionists, are disposed to follow the arts of peace. They are averse to confinement, but are disposed to learn readily agricultural and domestic employments. I have endeavored to encourage the blending of practical with mere book knowledge, convinced that the school will be a success only as it partakes of a practical and not mere theoretical character, and that the best teachers are the precepts and examples of members of their own tribe. The temperance movement among the Ioways is thus far a success. Making them a police to punish and reward with praise, asking their aid in promoting the elevation of their race, making the more enlightened employers and instructors, and treating them as fellow-laborers, seems to me the only successful mode of their elevation.

They are children in their love of praise, impatience of censure, and strict in their expectations of the fulfilment of promises, however trivial. The distribution of medals to the chiefs and most influential men, as evidence of the approbation of the government, would incite a spirit of docility and emulation productive of the very best results.

With the treaty recently concluded both bands seem satisfied. The settled wish of both tribes is, that their present reservation shall never be alienated from them.

One of the most serious obstacles in their progress and advancement is the feelings of disquietude and distrust occasioned by the continual encroachments of the whites, and the belief that the government, as well as individuals, desire to continually remove them, until disease and want wipe them from the face of the earth. To impress them with the belief that their reservation is permanent; that the government does not wish to remove them except at their deliberate desire and request; that the homes they cultivate are theirs forever, subject to their disposal without undue influence either from avaricious citizens or faithless agents; in short, that the policy of the government is beneficial and not oppressive, is one of the most important duties of those who assume the responsible position of their guardians under the government.

Very respectfully, your obedient servant,

JOHN A. BURBANK,
Indian Agent.

H. B. BRANCH, Esq.,
Superintendent of Indian affairs.

No. 14.

KICKAPOO AGENCY,
Muscotah, Atchison Co., Kansas September 20, 1861.

SIR: In compliance with the regulations of the Indian department, I have the honor to present the following as my first annual report relative to the affairs of this agency.

I entered upon my duties on the first day of June last, and found the Kickapoos in a very destitute condition. Owing to the unprecedented drought of last season their crops, upon which they mainly depend for their subsistence, were entirely cut off, and such a time of famine had never been known among them. Many were compelled to sustain themselves upon rabbits and smaller game, while others, more fortunate, possessing horses and cattle, disposed of them at a great sacrifice, thereby obtaining a scanty supply of provisions. The relief sent to them by the government through Special Agent Slaughter, in conformity to an

act making appropriations for the relief of destitute Indians, was very opportune, and contributed much to their comfort. The amount apportioned to the Kickapoos consisted of one hundred and ninety-seven sacks of corn, four barrels of pork, and six hundred and twenty-two pounds of bacon, which, though hardly enough to sustain them until they could provide for themselves, was gratefully received, and proper acknowledgments made to their great father at Washington for heeding their call in a time of need.

They will require no more aid at present from the government, as their bountiful crops, with their annuities this fall, will be sufficient to carry them through the winter comfortably.

The past season has been a very propitious one, and the Kickapoos have exerted themselves in the pursuits of agriculture with a zeal worthy of commendation. Several of them have most excellent farms, with from eighty to one hundred acres under cultivation, and well supplied with stock. As they progress in farming and making improvements, their ambition to excel one another in the various branches plainly shows that they have a spirit of industry and enterprise nearly equal to the white man. They this year commenced the growing of wheat as an experiment, and have met with very good success, their crop amounting to over eight hundred bushels. They sowed both fall and spring varieties, and generally prefer the former, it being considered the surest for a crop, and making the best flour. By their request I have purchased and delivered to them one hundred bushels fall wheat for seed, which has already been sown. They will also have a bountiful supply of corn, potatoes, and beans, while everything in the way of garden vegetables promise an abundant reward for the toil of cultivation. The approximate wealth of the Kickapoos in individual property is about forty thousand dollars, consisting of horses, cattle, hogs, wagons, farming utensils, and products of their farms. There is no tribe but the Kickapoos within this agency, who number, from the census last taken, ninety-seven men, ninety women, and one hundred and fifty-three children—making a total of three hundred and forty souls.

Owing to the existing troubles among the tribes west of Arkansas, and a disposition on the part of some of them to join the "Confederate" army, thereby violating their treaties with the government, several of the southern Kickapoos have returned to their brethren here, and promise to make themselves permanent homes, abandon their roving propensities, and become good farmers.

I desire to call the attention of the department to the band of Pottawatomies, numbering sixty or seventy, residing within this reservation. They have been permitted to occupy the lands of the Kickapoos for a long time, to cut and sell timber from the reserve, and to have their children educated, clothed, and fed by Kickapoo funds. It is a source of much trouble among a portion of the Kickapoos, who consider it an infringement of their rights, and I would suggest that this band be removed to their own people, where they properly belong.

There is but one regularly established school within this agency, which is situated about one mile from the eastern border of the reservation. Herewith I forward you the report of Rev. F. M. Williams, superintendent. The school has not met with the success I had hoped. The whole number of scholars at any one time to the present date has been but twenty, with an average attendance of fourteen. I have endeavored to impress upon the minds of the Indians the importance of giving their children an education, but a majority of them seemed decidedly averse to sending them to this school or any other. One teacher only is employed, and but one missionary, both under the supervision of the Methodist Episcopal Church, South. No moneys are contributed by the society for the school and none by individual Indians, but the government pays out of the school fund belonging to this tribe seventy-five dollars per scholar annually.

The Kickapoos have suffered extremely from the depredations of horse thieves

during the past season; many of them have lost valuable horses, and have not a pony left. From such information as I have been able to gather, I fully believe there is an organized band of unprincipled specimens of humanity prowling about our reservations with the intent of plundering Indian property, and I deem it of the utmost importance that a fund be set apart and appropriated for the purpose of pursuing the guilty parties and bringing them to justice. The want of such a fund has been sadly felt by the Indians since I entered upon the duties of this agency. The general health of the Kickapoos has been good during the season, and there have been comparatively but few deaths. Quite a number, however, have recently been afflicted with the prevailing disease of the country, chills and fevers, but with good attendance they soon recover, experiencing no serious effect.

Very respectfully, your obedient servant,

CHARLES B. KEITH,

United States Indian Agent.

H. B. BRANCH, Esq.,

Superintendent Indian Affairs, St. Joseph, Missouri.

No. 15.

KANSAS AGENCY,

September 21, 1861.

SIR: I have the honor to submit the following report for the part of the year I have been in charge of this agency.

I entered on my duties on the 25th of May last. I found the Indians in the most extreme destitution, which was relieved by a timely donation of provisions from the government. This undoubtedly saved the tribe from the horrors of famine, or from supplying their wants by unlawful means. The full-blood Indians have not a foot of land under cultivation on their reserve. They formerly raised corn and vegetables in considerable quantities; but, the whites having settled near them, their slight fences proved no bar to stock, their crops were destroyed, and the Indians in despair abandoned all attempts to provide for their wants by cultivating the soil.

About fifteen acres have been cultivated outside the reserve—the land of benevolent persons interested in the improvement of the race. Their diligence in cultivating this gives promise of what they will do when they have fields of their own securely fenced. In this connexion I cannot avoid expressing my firm conviction that their houses and fences should be of stone; the success of the efforts for their improvement demands it, and I believe in many cases fail unless they are thus built. Most of the Indians profess a strong desire to adopt the habits of the whites, but I am not over sanguine of great immediate results: they can be elevated by patient persevering labor only.

A farmer, a religious teacher, and teacher for the youth, should immediately be provided. There is no instruction of any kind in the nation.

The ponies of the Indians constitute their wealth. Without them they are unable to hunt the buffalo, their principal dependence. The lateness of the payment shortens the time of the fall hunt. They will also be detained that the allotment of land may be made and building sites selected. From these causes the benevolence of the government will have to be exercised towards them the coming winter in order to save many from perishing.

Drunkenness is a common vice. Whiskey is sold in many places in violation of law and all efforts to prevent it. A small number of the Indians seem to

abstain from the use of it, and I am not without hope that, with proper efforts, the number may be increased.

Most of the half-breeds support themselves by farming and raising stock. Some are improving their houses and gathering around them more of the comforts of civilized life. Some are prevented from cultivating their own lands by whites who have settled on them. Some show a desire for the education of their children by sending them to the schools of the whites.

The Kansas Indians are truly loyal to the government.

Very respectfully, your obedient servant,

H. W. FARNSWORTH,
U. S. Indian Agent for Kansas Indians.

H. B. BRANCH, Esq.,
Superintendent of Indian Affairs, St. Joseph, Missouri.

No. 16.

OMAHA MISSION SCHOOL,
October 29, 1861.

DEAR SIR: In accordance with the regulations of the Indian department, the following report of the Presbyterian mission and school is respectfully submitted:

The school at this place and among this tribe not only holds the same position which it has maintained in past years as an agent of much good to the Omahas, but, as our report will show, is occupying higher ground and gaining favor. I arrived at this place April 26, 1860, and upon the following 29th assumed the superintendence. At that time there were in the school 17 boys and 11 girls. On account of the measles and whooping cough, which early broke out among the pupils, several dying, one at the mission, and two at their homes, it dwindled to 16 boys and 6 girls—making a total of 22. Since then, by accessions now and then, we are able to report as in attendance at date 30 boys and 22 girls, and *two more in prospect*. Thus it may be said we have a total now of 54. This is beyond our complement, which calls for 50. With very little effort more boys could be secured, the people seeming to be more desirous of instruction of their boys than of their girls. I mention this only to prove what I have already stated as to the favor of the people towards the mission. Concerning the exercises of the children out of school, I would report that the boys are accustomed to spend a portion of their time at manual labor under the direction of the farmer and the teacher. Under their instruction and oversight the boys will contribute much this year to filling the barn and granary. It would be well to state here that two of the largest boys spend half of their time on alternate days in the government blacksmith shops. Thus they are preparing to be in time the learned blacksmiths of their people. Under the direction of the female members of the family the girls are taught the different branches of housewifery in turn, so far as their ages will permit. In regard to school matters, I condense from the report of our teacher to me. School is in session during *five* days of the week, the sixth day being a day of recreation, &c. It is divided into eleven classes, viz: four reading classes; three geography; one writing; one arithmetic, (mental and written,) and two primary classes. The most advanced of the reading classes make use of McGuffey's Fourth Eclectic Reader; the second uses the Third Reader of the same author's series; the third reads in the Second Reader; the fourth in the First Reader; and then come the primaries, learning principally from the blackboard. The geography classes are making regular but not rapid progress.

The children memorize words very readily, but gain ideas rather slowly, having to study in a language which they cannot use fluently. The same remark will apply to the arithmetical classes. The mind is good enough, but the words are in the English, whilst they do their thinking in Omaha. In penmanship they far excel white children of equal advantages, so far as neatness and rapidity are concerned. No difficulty is found in keeping this branch in advance of all others. In regard to vocal music they compare favorably, and a few of them might be called good singers. They all are making some progress in learning the elements of vocal music. Their attention to study is very good; order good; corporal punishment seldom resorted to. Kindness of feeling exists among themselves, and affection towards the teacher and all the mission family. There still exists a too general disposition to converse in their native language.

The health of the school for more than a year has been excellent.

The mission family is composed of Mr. Isaac Black, wife, and two children, from Pennsylvania. It would not be out of place to remark here, that Mr. Black, the teacher, was for some years prior to his removal here not only a successful teacher, but superintendent of public schools in Butler county, Pennsylvania. Mr. Jos. S. Betz, wife, and child, of Nebraska; Miss Ellen Smith, of Iowa; Rev. R. J. Burt, wife, and two children, of New Jersey. Their occupation as follows: Mr. Black, teacher; Mr. Betz, farmer; Mrs. Black, seamstress for boys; Mrs. Betz, care of girls; Miss Ellen Smith, matron's assistant; Rev. R. J. Burt, missionary and superintendent; Mrs. Burt, matron, housekeeper, &c.; John Springer, (native,) interpreter.

The mission building is constructed of a very hard rock found in the surrounding bluffs. It is three stories in height, with basement, kitchen, and cellar. Its dimensions are seventy-five by thirty-five feet. Exclusive of basement and attics it contains seventeen rooms, used as follows: one dining room, (large,) one school room, (large,) one chapel, (large,) two bed rooms, (large,) two storerooms, one sitting room for girls, and the remainder for families and spare.

The outbuildings consist of barn, with stables for horses and cattle, corn-crib, with wagon and tool house, smoke, milk, and ice house, and shop.

By means of the farm we shall be able to fully supply ourselves with corn, potatoes, beef and pork, and partly with wheat and molasses. The farm, comprising some fifty acres of arable land, under the direction of Mr. Betz, ably assisted by our larger boys, has been well wrought this year. It has been placed under good and stout rail-fencing. Here is the school for Omaha farmers in embryo.

The amount of moneys expended during our last fiscal year, ending May 1, including the amount received from the United States government, was \$4,407 27, nearly \$100 more than the previous year; yet there was really a saving, since in that amount was included the expenses incidental to the removal of the previous mission family and the arrival of the present, and an increased number of pupils, and the erection of some of the outbuildings. Although we have still more pupils added and some improvements completed, we hope to come within the amount of the previous year. And here I would remark that the Presbyterian Board of Foreign Missions (O. S.) have, since the removal of the mission to this place, expended several thousands of dollars more than they have received from government.

In regard to climate, soil and its productions, mineral resources, water privileges, and general aspect of the reserve, I have but little to say.

The climate, on account of its dryness, especially in the winter season, is like to all this region of country, excellent for pulmonary complaints.

The soil generally is not only good but excellent. In proof of this, I may say safely that the Omahas this season have thousands of bushels more of corn than they can consume. Were it not for the broken and roughness of the reserve it might be as fine a farming country as could be desired.

The minerals found here, so far, are a soft red sandstone, too soft for building purposes, crumbling on exposure to the air. In the bluffs adjacent to the mission a very hard limestone is found containing petrifications of wood and leaves, amongst which I recognize the foliage of the cottonwood, walnut, and elm of different varieties.

As these trees still flourish, and these bluffs are nearly half of a mile from the River Mission, and the stone is found so deeply imbedded, there is a problem for our geologists to solve.

Water privileges are almost nothing.

I have already alluded to the roughness of the country. Were you to ride over these prairies you would suppose that some rolling ocean had suddenly, yea, instantly, become solidified. It is up and down, up and down, even along the Mission river, where the greatest amount of timber growing on the reservation is found. This timber consists principally of oak, walnut, and basswood. There are two bottoms partly clear and partly wooded; here you find the cottonwood and the elm.

Before closing this part of this report I must say that there is a growing anxiety on the part of the Omahas to educate their children. Of this I have already given you ample evidence in the former portion of this paper. Long since have I been satisfied, by a residence, and to labor of some years among the Choctaws, as well as by my experience among the Omahas, that if the Indians are ever to be brought into a state of civilization it must be by means of such schools as this.

Again, a word more. For the mission family I tender the department thanks for the appointment of so able and efficient an agent as the present incumbent.

In regard to my labors as missionary I have a few words to say. Every Sabbath services are held not only at the mission, but at either of the two villages alternately. We are not without hope. The good seed has been sown—it will spring up, grow, and produce its fruit. As a missionary, I am encouraged.

Respectfully submitting to you, and through you to the department, I remain, yours, truly,

R. J. BURTT.

O. H. IRISH, Esq.,
United States Agent for Omahas.

No. 17.

DELAWARE AGENCY,
Kansas, October 1, 1861.

SIR: I have the honor herewith of submitting the following report of the Indians belonging to the agency:

There is but one tribe in care of the agency (the Delawares.) There are a number of New York Indians living upon the Delaware lands by permission, awaiting the action of government, who soon expect to have their claims adjusted and be enabled to remove to their own homes.

The Delawares within this agency number, as near as I can ascertain, one hundred and thirty-four, which is an increase over last year; and which is accounted for by the return of some of the Delawares from the south, and the adoption of members from other tribes.

The number of males over twenty years of age is two hundred and fifty-six; the number of females over twenty years, three hundred and forty-two; children under twenty years of age, four hundred and thirty-six.

There is one school on the reservation, which is under the patronage of the American Baptist Missionary Union, which contributes twenty-five dollars per scholar. The average attendance during the last term was seventy-eight scholars. The school is under the superintendence of the Rev. John G. Pratt, assisted by Miss Harriet S. Moore and Miss Clara Gowing, and is well conducted, and I think will compare favorably with any mission school in the United States; and to this institution the Delawares are mainly indebted for all the civilization among them. The Indians, individually, do not contribute anything towards the support of the school, but government pays out of the school fund belonging to the tribe seventy-five dollars per scholar.

The crop of corn and potatoes planted this year will not only afford an abundant supply, but there will be a handsome surplus for traffic. The whole number of acres planted is three thousand two hundred and forty-nine, or three and one-seventh of an acre per head for every Indian belonging to the tribe. The Delawares are progressing well in the cultivation of the soil. The failure of the crops last year has given an impetus generally to industry. All have planted more land than usual, and a few of the more enterprising have more than one hundred acres in cultivation. The average of personal property will approximate to near one thousand dollars per head. The Delawares heretofore have had but one blacksmith who has been able to meet the wants of the tribe; but owing to the increased industry of the members of the tribe it will be necessary to employ the services of another smith, which will be done the ensuing season.

The saw-mill at Larconville has been idle a portion of the past quarter, ending September 30, in consequence of the scarcity of labor—an exigency much to be regretted, as the Delawares, many of them, are building neat and comfortable dwellings, and I fear some of them will not be able to complete their houses before winter, in consequence of being unable to get lumber. I think the mill is as well managed as could be under the circumstances.

The agency buildings are in a dilapidated condition, and unfit for a family residence. For the convenience of the agent and the tribe, a new agency building, in a central position on the lands reserved for that purpose, should be built as soon as possible.

There are no employes paid by government within this agency but the agent and interpreter.

Very respectfully, &c.,

F. JOHNSON,
U. S. Indian Agent.

H. B. BRANCH, Esq.,
Superintendent Indian Affairs, St. Joseph, Missouri.

No. 18.

SAC AND FOX AGENCY,
Kansas, October 1, 1861.

SIR: I have the honor herewith to submit my first annual report of the affairs of this agency.

The tribes within this agency are the Sacs and Foxes, upon whose reservation the agency buildings are situated; the Ottawa, the Confederated Chippewas, and Munsee Indians, whose reservations lie adjacent.

THE SACS AND FOXES.

On the 8th day of August last I paid this tribe one-half of their semi-annual payment, it being \$17,500. The roll used at that payment shows that the tribe

is composed of 392 men, 484 women, and 465 children of both sexes—a total of 1,341 souls. It should be remembered, however, that this payment was deferred by the department until four months after the usual time, and that all the numerous deaths which had taken place since the previous payment in October, 1860, caused no reduction in numbers, as the persons dying were allowed to be reckoned by their friends.

All the Indians under this agency suffered materially from the effects of last year's drought, but this tribe especially, as from their deferred payment they could not purchase provisions of traders, and their white neighbors had none to spare. In their makeshifts for life their little personal property was considerably reduced.

I estimate their personal property at \$50 per head, or an aggregate of \$67,050. Under the treaty of October, 1859, this tribe is now located on their limited reservations, twelve by twenty miles in extent. Upon this, eighty acres is to be appropriated to each individual. More than half are thus located, and the remainder soon will be. Under the late administration a contract was made for the erection of 350 houses for these Indians, together with mission buildings and ploughed and fenced fields. One hundred and five houses were completed last winter.

By the efforts of the department this contract was recently modified as far as possible for the benefit of the Indians, and under it thus modified the work has again commenced.

Most of the tribe are pleased with the idea of sheltering themselves from the inclemency of the season in comfortable houses, and all are extremely anxious to have fields fenced and ploughed.

With the possession of a few farming tools and a little stock, and under the fostering care of government, I am satisfied that considerable progress in the arts of civilized life would speedily appear. From my limited experience, I am inclined to the opinion that the greatest difficulty in the way of inducing the red man to adopt white habits is that he does not fully appreciate the value of individual rights in property.

History teaches that this is the great incentive to personal exertion; and recent experiments in our own country of communities founded upon the principle of common interest in all gains show, by their disasters since, that even white men will not labor unless they can, each man, receive the full reward of his own exertions.

If we recall the fact also that it took many generations to fix this principle firmly in the minds of the stock from which we sprung, we shall find reason to hope that important progress may be made in the condition of that once numerous race now so dependent upon the good offices of the government. But if this example should encourage hope for the Indian, it will not less tend to moderate expectations of accomplishing great results in short periods of time.

Many of the leading men of this tribe are desirous that immediate steps be taken to establish a school; and as experienced persons are unanimous in the opinion that only manual labor schools are of service to Indians in the first growth of civilized habits, I trust that the department will deem it wise to establish this school upon a basis commensurate with the wealth and importance of this tribe.

THE OTTAWA INDIANS

number two hundred and five persons—fifty-one men, fifty-five women, and ninety-nine children. It will be observed that this proportion is much more favorable than that of the previous mentioned tribe. As relates to the greater proportion of children, this seems owing to the fact of their living in comfortable houses, and not roving about in tents, thereby fatally exposing infant life. The

equal proportion of males is doubtless owing to the more sober and industrious habits of this tribe, as they all cultivate their own farms.

The Ottawas have but a small annuity, and their personal property is limited in amount. I estimate it at \$75 per capita, or the aggregate sum of \$15,375. From the famine and depredations of whites they have lost much property in horses and cattle during the past year.

That this little band is not entirely extinct is owing doubtless to the disinterested labors of Rev. Mr. Meeker, who labored some twenty years among them for their temporal and spiritual well-being with rare success. He has been dead several years, but through the exertions of a few persons among them, particularly John T. Jones, they regularly maintain Christian worship.

They are very desirous that their children should have the advantages of schooling, and wish to treat away a portion of their inviting reservation in such a manner as shall best conduce to this end.

CONFEDERATED CHIPPEWAS AND MUNSEE INDIANS.

These Indians, together, number only about ninety souls.

They have suffered with the rest materially from the cutting off of crops last year; and the Chippewas particularly, who have received but little money for some time, are very desirous that a part of the funds in the hands of government belonging to them should be expended for their benefit.

These Indians are all located comfortably upon farms, and are sufficiently advanced in the habits of whites to profit by a day school, which nearly all their children could attend. They are all very desirous that a school-house and church should be erected and teacher hired in accordance with the terms of their last treaty.

I would urge that the well-being of their children especially requires that this be done very soon.

In conclusion, I would state, in general, that, as a whole, the Indians under my supervision seem contented and happy.

The little commotion naturally existing by interested parties at a change in the affairs of the agency has quickly died away, and the machinery of the office is working smoothly.

Every member of these tribes is, so far as I can learn, entirely loyal. A few manifested some disposition to enlist for the defence of our country, but most of them seem disposed quietly to bide the result of the conflict now going on, confident that the stars and stripes cannot trail in the dust.

Very respectfully, your obedient servant,

CLINTON C. HUTCHINSON,

United States Indian Agent.

H. B. BRANCH, Esq.,

Superintendent of Indian Affairs, St. Joseph, Missouri.

No. 19.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, October 19, 1861.

SIR: I have the honor to transmit herewith a copy of a letter of Agent Burleigh, of the 27th ultimo, in regard to the alarming condition of affairs among the Indians of his agency (the Yankton Sioux) and his earnest request for at least two full companies of first class troops for defending the frontier. On the 28th of June last this office referred a similar request from Mr. Burleigh to you, with

a view to its presentation to the War Department, to which, also, reference was made by this office in a report on the 19th ultimo. The urgency of this case prompts me to request that you will again bring the matter to the early attention of the War Department.

Very respectfully, your obedient servant,

WM. P. DOLE, *Commissioner.*

Hon. CALEB B. SMITH,
Secretary of the Interior.

No. 20.

OMAHA INDIAN AGENCY, *October 29, 1861.*

SIR: I have the honor of transmitting the following report of the condition of the Omahas, in compliance with the instructions of the department received on the 25th instant.

The Omahas, according to the census taken last year by late Agent Graff, number about four hundred and fifty males and five hundred females; most of the tribe of suitable age are instructed in agriculture, and are disposed to apply themselves to it sufficiently to provide for their wants; in summer nearly all of them engage in the chase, in order to provide meat for the winter; there are three employed in mechanical pursuits; one, an adult, as assistant miller; and two, minors, as assistant blacksmiths.

The aggregate number of acres in the fields and patches amount to six hundred and seventy-seven, besides which there is a field of upwards of one thousand acres enclosed for pasturage of stock.

Our farming operations have yielded a bounteous harvest; one field of one hundred acres yielded upwards of eighty bushels to the acre—a crop that could not be excelled by any farmer in the Territory. The total product of corn is about 20,000 bushels, of which individual Indians have given largely of their share to supply their friends, the Poncas; the remainder is carefully stored away for future use.

They have made a good commencement in raising wheat, having harvested upwards of four hundred bushels. They have also a good supply of potatoes, beans, pumpkins, squashes, and other vegetables.

The success attending our agricultural operations is in a great measure owing to the excellent example of the principal chief, La Flesche. By precept and example he is untiring in his efforts to advance his people in intellectual and industrial pursuits, and to improve their moral and social condition. He is a good man, and it is most fortunate for the Omahas that they have so good a chief.

A small beginning has been made this year in raising sorghum, and with good success; so much so that, if the department approve of such a course, I will make arrangements to produce enough next season to supply the whole tribe. This will involve the expenditure of about three hundred and fifty dollars for mill and other apparatus necessary, but will save them hundreds of dollars in the purchase of sugar and molasses.

They have a good supply of hay to subsist their stock during the coming winter. About one-third of the tribe have built houses, left their lodges, and say that they are henceforth going to live like Christian men. What this people want is something more to do; something congenial to their taste. They are willing to cultivate the ground, to raise sufficient for their own food; but they have no idea of raising produce for market. They need some light mechanical employment, and it has been suggested that some one should be employed for a year to teach their young men and women to make willow baskets. They are

ingenious and expert in making trinkets, and would be so in the more useful occupation of basket-making. The materials are abundant on the "reserve," they have plenty of spare time from the farm, and all they need is instruction. The employment of a competent person for this purpose for one year would test the matter, and, I believe, result in great good. The product of their industry would soon find its way to the towns and villages scattered through the upper Missouri valley, and return to the tribe in money, whereby they would increase the comforts of their rude homes. The free trade and friendly intercourse which would thus be opened and established between them and their white neighbors would convince them, by its practical utility, of the dignity and productiveness of labor. Having no expenses to incur for material, the expenses of this department could be borne for \$700 for one year; and I believe that they would so readily learn, that one year's instruction would suffice.

Great advantage has resulted from the organization of the police or company of soldiers. The policy of promotion to position, if a soldier, one who excels others in industry and in good behavior, stimulates all the young men to greater exertions than they would otherwise make. It is the height of their ambition to be called a good soldier. They understand that with them rests the responsibility of the maintenance of good order and good conduct in the tribe; and they have so discharged their trust that no complaints have been made of depredations committed by the Omahas.

Before their organization there was no law in the tribe except brute force; but now they have a code of laws consistent with the laws and policy of the United States government, and the soldiers, acting by the direction and authority of the agent, execute and enforce them. The duty of our soldiers is to preserve peace and order among the Indians themselves, prevent stealing or robbing from either Indians or white people, and to keep watch that the intercourse laws are observed by all residents on the "reserve," and report all infractions to the agent.

It would be well to permit them to exchange their arms for those suitable for cavalry service. They would be far more efficient if thus equipped, and would, by their zeal and experience, prove a safeguard against the roving bands of Sioux who have plundered so much from the settlers on our frontiers.

I have visited the mission since taking possession of the agency at least twice each week; have watched the progress of individual scholars who have been taken from the lodges and put to school since I came here. I have never seen greater progress with the children of my own race in the same length of time. It has been a common remark that "missions have done no good." How it is with others I cannot say, only as I judge from its effect on the condition of the Omahas. No honest man can examine the condition of the tribe and declare that it does no good. If the preaching of the missionary and the lessons of the faithful teacher and co-laborer do not elevate, then nothing will.

The Omaha mission, under the blessing of Him whose instrument it is, co-operating with the government, has accomplished a great and good work in elevating and civilizing these Indians. How can it be otherwise, to teach them our language, literature, science and arts—to inculcate precepts of the highest and best form of morality, the simple, earnest truths of our holy religion, subordination to lawful authority, and the pursuit of honest industry? These things, taught to the children, are the means by which this tribe may yet be redeemed from the barbarism of ages, and made to take a favored place among the civilized people of the earth. Believing this, and finding a mission established for this purpose, and honestly working for the accomplishment of this end, I have given it my sympathy and hearty support.

In order to make it an efficient instrument of good, the agent and the government employes should co-operate with the teacher, and strengthen his influence, and support his authority. This I have done, and with the happiest results.

The mission is full and overflowing; a cheerful and contented spirit prevails;

steady and onward progress is everywhere manifested. The children are well clad, and eat of the same food at the same table and time when the superintendent, teachers, and guests of the mission do.

They are careful to provide for the children the same comforts, luxuries and enjoyments that they do for the most favored white person who is admitted to the household as a visitor or otherwise.

The superintendent has always cheerfully accepted my invitations, and I have called on him often to go with me to visit the sick in the villages, making no distinction between those who sent their children to the mission and those who do not. The teachers are all faithful in the performance of their respective duties, having, as I judge by their conduct, hearts devoted to the work before them.

For the details of its organization and management and much other valuable information, I refer you to the accompanying report of the superintendent, Rev. R. J. Burt, whose experience as an Indian missionary and teacher give more than ordinary value to his suggestions.

It may be well for me to mention in this communication what I have written heretofore. The Omahas are eminently loyal to the government, are anxious for news from the seat of war, and manifest a great interest in the success of our arms. Upon the occasion of the raising of a flag over the agency, La Flesche, one of the principal chiefs, made a speech, closing with the following loyal utterances: "Our new father has raised a flag over us. This flag, I understand, signifies freedom and equal rights. When we were at our great father's, in Washington, to sell our lands, he gave us a flag like this, and said it was the flag of our country, and it was our flag. Before he gave it to us, it seems, we were not a people; since he gave it to us, I think we have made great progress. It seems that since then we have improved very much in civilization. When he gave us this flag, he gave us strength with it. Our great father has done a good deal for us—we are grateful for what he has done. This is our great father's flag—it is the flag of a great country—it is our flag. By it we stand, and when it falls, we fall with it."

Let me assure you, in conclusion, that I have great hopes of this people. I have the more reason to be encouraged because they have hope for themselves. I have been gratified at the attention they have given to my suggestions about education, labor, obedience to law, and the maintenance of good order. They are now fully awakened to the importance of making use of present advantages for the attainment of excellence in industry, moral and social virtues.

May we not hope to see them, in the future, a happy and prosperous community?

I am, very respectfully, your obedient servant,

O. H. IRISH,

United States Indian Agent.

Hon. H. B. BRANCH,

Superintendent Indian Affairs, St. Joseph, Mo.

No. 21.

Rules and regulations to be observed in the execution of conveyances of lands which have been or shall be assigned in severalty to Indians within the Territory of Kansas, and for which patents shall be issued in conformity with the 11th section of the act of Congress entitled "An act making appropriations for sundry civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and sixty," approved March 3, 1869.

Individual Indian reserves are divided into two classes, those which are and those which are not included within the boundaries of a tribal reservation. The former are inalienable except to Indians by birth, members of the tribe to which the reservee belongs. The latter are inalienable under the following conditions:

I. The deed or instrument of conveyance must be executed in the presence of two subscribing witnesses, and acknowledged before the agent within the limits of whose agency the reservee resides, and when presented for approval must be accompanied by the following certificates, viz:

First. A certificate signed by two of the chiefs of the tribe to which the reservee belongs, setting forth that the grantor is the identical individual to whom the land was originally granted, or, in case the original reservee be dead, that the grantor or grantors, as the case may be, are the only heirs surviving the original reservee; that he, she, or they, as the case may be, are severally of age, and competent to manage his, her, or their affairs, and to dispose of his, her, or their property, and that they think it advisable that the land should be sold.

Second. A certificate from the agent for the tribe to which the reservee belongs that the contents, purport, and effect of the deed of conveyance was explained to, and fully understood by, the grantor or grantors; that the consideration specified therein is a fair price for the land; that the same has been paid to the grantor or grantors in his presence in gold or silver coin of the United States, and that the conveyance is in every respect free from fraud or deception.

Third. If the original reservee be dead, and the conveyance is executed by fewer than all his or her heirs, then, in addition to the certificates above required, with the necessary changes therein, the conveyance must be accompanied by a properly authenticated copy of judicial proceedings, showing that partition of the lands granted to the original reservee has been made by a court having jurisdiction thereof, and a diagram prepared by a competent surveyor, showing the land into which the original tract has been divided, and the respective owners of the same.

II. The lands belonging to an incompetent, if an adult, may be conveyed by a curator or conservator, and if a minor, by a guardian, in which case the conveyance must be accompanied by a certificate of two chiefs of the proper tribe as to the identity and the incompetency of the grantor, and that the sale is advisable; a certificate of the agent for the tribe to which the incompetent belongs that the consideration specified is a fair and just price for the land, and has been paid in his presence to the grantor in gold or silver coin of the United States, and that the conveyance is in all respects free from fraud; a properly authenticated copy of the records of a court having jurisdiction, showing the appointment of such curator, conservator, or guardian, as the case may be, and a properly authenticated copy of judicial proceedings in a court having jurisdiction, authorizing such curator, conservator, or guardian to make sale of the lands mentioned in the conveyance.

III. If the reservee (or in case he may be dead, his heir or heirs) do not reside within the bounds of an Indian agency, the deed of conveyance may be acknowledged before a justice of the peace or other officer having legal jurisdiction, and in lieu of the certificates of the chiefs and Indian agent in other cases required.

must be accompanied by a certificate of the officer taking the acknowledgment of the facts required to be certified by the chiefs and agent in cases where the grantor resides within the bounds of an Indian agency; or if such facts shall not be known to the officer, they must be verified by the affidavits of at least two credible persons who are cognizant of these facts, whose veracity must be certified by such officer, and the testimony and all papers pertaining to the conveyance must be properly authenticated under seal. In all other respects the conveyance must conform to the rules above prescribed.

IV. A diagram prepared by a competent surveyor, or an authenticated copy of the official plat of survey, indicating the land intended to be alienated, and all former sales by the original reservee, his or her heirs, must be furnished for the use of the Indian Office.

V. No reservee will be allowed to sell more than one-half of the land assigned to him (or her) under treaty stipulations, except in special cases, where circumstances, to be determined by the Secretary of the Interior, may seem to require a relaxation of the rule.

VI. No sale or conveyance which does not substantially conform to the foregoing regulations will receive the approval of the department.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, May 27, 1861.

The foregoing rules and regulations, designed for the government of the respective parties in the execution of deeds of conveyance pertaining to the alienation of lands assigned in severalty to Indians within the State of Kansas, are respectfully submitted to the Secretary of the Interior, with a recommendation that the same may be approved.

WM. P. DOLE, *Commissioner.*

DEPARTMENT OF THE INTERIOR, *May 27, 1861.*

The above rules and regulations are hereby approved, as recommended by the Commissioner of Indian Affairs.

CALEB B. SMITH, *Secretary.*

No. 21½.

Rules and regulations to be observed in the execution of conveyances of lands in Kansas which have been assigned in severalty to Miami Indians residing in the State of Indiana, and for which patents have been issued in conformity with the 11th section of the act of Congress entitled "An act making appropriations for sundry civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and sixty," approved March 3, 1859.

I. The deed or instrument of conveyance must be executed in the presence of two subscribing witnesses, and acknowledged before a justice of the peace, or other officer of competent jurisdiction, whose official character must be properly authenticated under seal, and when presented for approval must be accompanied by the following certificates, viz:

First. A certificate of the officer before whom the acknowledgment is taken that the grantor is the identical individual to whom the land was originally granted, or, in case the original reservee be dead, that the grantor, or grantors, as the case may be, are the only heirs surviving of the original reservee; that he, she, or they, as the case may be, are severally of age, and competent to manage

his, her, or their affairs, and to dispose of his, her, or their property; that the consideration specified has been paid, or secured as hereinafter required, to the grantor in his presence, and that he thinks it advisable that the land should be sold; or, if such facts shall not be known to such officer, they may (with the exception of the certificate of the payment, or securing of the consideration, which must in all cases be made by such officer) be verified by the affidavits of two credible witnesses, who are cognizant of the facts, whose veracity must be certified by such officer, and all papers pertaining to the conveyance must be properly authenticated under seal.

Second. A certificate of the United States Indian agent for the Osage river agency in Kansas that the consideration specified is a full and fair price for the land mentioned in the deed.

Third. If the original reservee be dead, and the conveyance is executed by fewer than all his or her heirs, then, in addition to the certificates above required, the deed must be accompanied by a properly authenticated copy of judicial proceedings, showing that partition of the lands granted to the original reservee has been made by a court having jurisdiction thereof, and a diagram prepared by a competent surveyor, showing the lots into which the original tract has been divided, and the respective owners of the same.

II. Lands belonging to an incompetent, if an adult, may be conveyed by a curator or conservator, and if a minor, by a guardian, in which case the conveyance must be accompanied, in addition to the certificate hereinbefore required, so far as applicable, and changed only so far as may be necessary to suit the case, by a properly authenticated copy of the records of a court having jurisdiction, showing the appointment of such curator, conservator, or guardian, as the case may be, and a like authenticated copy of proceedings in a court having jurisdiction, authorizing such curator, conservator, or guardian to make sale of the lands mentioned in the conveyance.

III. Lands may be sold by the original reservee, or, in case he or she be dead by his or her heir or heirs, subject to the same regulations as hereinbefore prescribed, as to partition, under the following limitations as to credit—that is to say one-third of the purchase money to be paid in hand, and the remainder in instalments running during a period not exceeding two years from the date of the sale, such deferred payments to be secured by mortgage upon the premises conveyed, and no conveyance will be approved until such mortgage shall be forwarded to the Commissioner of Indian Affairs, with a certificate of the record thereof duly indorsed thereon by the recorder of conveyances for the district or county in which the land lies.

IV. A diagram prepared by a competent surveyor, or an authenticated copy of the official plat of survey, indicating the land intended to be alienated, and former sales made by the original reservee, his or her heir or heirs, must be furnished for the use of the Indian Office.

V. No sale or conveyance which does not substantially conform to the foregoing regulations will receive the approbation of the department.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, May 27, 1861.

The foregoing rules and regulations, designed for the government of the Miami Indians residing in the State of Indiana in the execution of deeds of conveyance pertaining to the alienation of lands assigned in severalty to said Indians in Kansas, are respectfully submitted to the Secretary of the Interior, with a recommendation that the same may be approved.

WM. P. DOLE, *Commissioner.*

DEPARTMENT OF THE INTERIOR, *May 27, 1861.*

The aforesaid rules and regulations are hereby approved, as recommended by the Commissioner of Indian Affairs.

CALEB B. SMITH, *Secretary.*

No. 22.

OFFICE OF SUPERINTENDENT OF INDIAN AFFAIRS
FOR THE NORTHERN SUPERINTENDENCY,
St. Paul, Oct. 30, 1861.

SIR: The regulations of the Indian department require annual reports from superintendents and agents in time to reach the department in Washington during the month of October.

I have just returned from witnessing the payment of annuities to the Chippewas of Lake Superior. Owing to adverse winds that prevail at this season of the year, and no adequate boats available for visiting the points necessary, I have been delayed several weeks longer than I anticipated.

I entered upon my duties as superintendent of the northern superintendency on the 14th of May last, and have had little more than five months to acquaint myself with its affairs.

I offer the foregoing statements as the cause for the delay in preparing this meagre report.

I have visited the agencies of the Upper and Lower Sioux of the Mississippi, the Winnebagoes, and the Chippewas of Lake Superior, and shall visit the agent of the Chippewas of the Mississippi, and Pillager and Lake Winnegoshish bands, during next month.

On the 11th of June last I started for Yellow Medicine, or Upper Sioux agency, where I arrived on the 16th. A large number of Indians were assembled, waiting for their annual payment in goods, money, and provisions. At this place I also found a large number of Yanctonais, with whom, it is said, the government has made several efforts to make a treaty. I held a council with them, the substance of which I advised the department, by letter dated July the 24th.

I witnessed the payment to the Lower Sioux band on June the 26th; visited the Winnebago agency and held a council with those Indians, the substance of which was reported to the department; returned to St. Paul, being informed of some difficulty with the Indians at Wabashaw; left St. Paul for the Upper Sioux agency again, July 6; witnessed the payment at Yellow Medicine on the 16th; and on the 19th of September left St. Paul for Lake Superior, and returned Oct. 29. Thus it will be seen that most of my time, since relieving my predecessor, has been spent among the Indians at the different agencies.

Much trouble was anticipated, and some experienced, at the Upper Sioux payment, for which there were two prominent causes: 1st. The allowance, by the department at Washington, last year, of a claim of \$5,500, which was deducted from their annuity.

2d. The renewal of old questions by the Yanctonais, in which they claim that they were part owners of the lands sold to the government by the treaty of 1851, by which the Sissetons and Wahpetons bands of Sioux, and that they should be allowed to share in the annuities.

These bands are so intermixed, by marriage and family ties, that it is a very difficult matter to discriminate as to those really entitled to annuities.

By promising to make their grievances known to their great father, the

presence of two companies of soldiers from Fort Ridgely, and by liberal presents of beef cattle, we succeeded in making the payment and sending the Indians away apparently satisfied. But more or less trouble will be annually experienced, until a treaty is made with the Yanctonais.

I was much surprised to find so many of the Sioux Indians wearing the garb of civilization; many of them living in frame or brick houses; some of them with stables and out-buildings, and their fields indicating considerable knowledge of agriculture. They raise some cattle, and have a limited idea of individual rights in property; affording abundant evidence of what may be accomplished among the Sioux Indians by steadily adhering to an uniform, undeviating policy. Started in the right direction, the policy of individualizing the Indians as agriculturists needs no argument to prove its utility. Its good effects require but to be witnessed, as developed among the Sioux, to be regarded as eminently successful. However, the number that live by agricultural pursuits is yet small, compared with the whole; but their condition is so much better than that of the wild Indian, that they are becoming convinced that it is the better way to live; and many are coming in, asking to have their hair cut, and for a suit of clothes, and to be located on a piece of land where they can build a house, and fence their own fields; in fact, have made up their minds to earn a living by agricultural pursuits, and give up the chase.

In my judgment it requires but the faithful adherence to the policy in practice, with such modifications as are indicated in the report of agent Galbraith and the establishment of schools, upon the principle recommended by the superintendent of schools for the Sioux, to entirely revolutionize their tribal character, and convert them into good citizens.

The Winnebagoes occupy an unenviable position. They are surrounded on all sides by those too willing to traffic in whiskey, and whom the law appears to be inadequate to punish; and should one be arrested, he may be proved guilty of the act of selling intoxicating liquors to the Indian; but, upon some technicality, or flaw in the law or proceedings he is discharged without punishment.

It has long been said that "desperate diseases require desperate remedies." The use of whiskey among the Indians is a desperate, very desperate, disease; and any remedy adopted that will cure it, or approximate towards a cure, would vastly improve their condition. Nearly all the depredations committed upon the whites, or injuries and loss of life by violence among themselves, are the immediate effects of intoxication. And no law can be too severe, or process too summary, for that class of men who so disgrace and degrade themselves as to engage in such a demoniac traffic. But for those surroundings the Winnebagoes would be a very different people. Circumscribed as they are, surrounded by white settlements, treaty stipulations expiring by limitation, many of them begin to see the necessity of looking to some other source than the chase or their annuities for a living.

The only ground of complaint with them against the government is, that the stipulations of the treaty of 1859 have not been carried into effect. I have no doubt that if the same policy was pursued with the Winnebagoes that is producing such good results among the Sioux, equal progress towards civilization would be made.

I therefore respectfully recommend that early measures be taken to sell the lands, as provided in their treaty, and the proceeds, or as much as possible, be set apart for the erection of dwelling houses on the pieces of land now being assigned to individuals and heads of families, breaking and fencing the same, and for the purchase of oxen, agricultural implements, &c., to be given to such as will adopt the dress of the white man, and will till their land.

The Chippewas of the Mississippi, Pillager, and Lake Winnebagoish bands, too, are exposed to the damaging results of the whiskey traffic, but not to so

great an extent as the Winnebagoes. They are not subject to so many temptations, and have less means to purchase. They are more docile and tractable than the Sioux or Winnebagoes; and had a small part of the money been expended for them, as has been for other tribes, they would have presented a picture of civilization second to no Indian tribe on the continent. They more readily assume the habiliments of civilized life than the others. They are poor, and have been obliged to depend more upon themselves than others with whom the government has treaty stipulations.

Within this agency are five reservations: Mille Lac, Rabbit Lake, Pokagamah, Gull Lake, and Crow-Wing. The payments are made for all at the agency at Crow-Wing. This compels some of the Indians to travel some five hundred miles, two hundred and fifty each way, to receive their annuities. The sick, the old, and infirm find this impossible; their annuities, paid to relatives, are squandered. It frequently happens that the payments are not made until cold weather, when the young and infirm are exposed to great hardships in coming and returning. It would be better for the agent and superintendent to travel to the reservations than that so many Indians should be required to make an annual journey to Crow-Wing, where they are particularly exposed to the allurements of whiskey shops.

I would recommend that the annuity payments be made at Mille Lac, Rabbit Lake, and Crow-Wing. It would be much better for the Indians and but little more trouble for the agent and superintendent. This would be similar to the manner of making payments to the Chippewas of Lake Superior.

The Chippewas of Lake Superior are similar in character and habits to those of the Mississippi. They are, however, very much scattered, and give the whites some trouble on the frontier. They have not had proper attention paid to their wants. They express a strong desire to be located on their reservations, and state that they are only waiting for the proper surveys to be made for them to locate in severalty.

I am informed that there has already been money appropriated to make the necessary surveys on the Lake Coutereille reservation; but, for some cause unknown, the reservation has not been properly marked out nor the Indians located.

The Fond du Lac reservation, situated on the St. Louis river, deserves some attention from the department. At the present time it is almost impossible to transport the annuity goods and money to that reservation. I would recommend the department to take some energetic step towards locating these Indians in severalty and having their reservation well defined.

I also recommend an appropriation sufficient to construct a wagon road from the head of navigation on the St. Louis river to the Fond du Lac reservation, a distance of about sixteen miles. The cost of the road would nearly be saved in two years' transportation of their goods and money to the reservation.

I would also recommend that the annuity goods and money for the Chippewas of Superior should be placed at the disposal of the agent as early as the first of August in each year. The long distance between the different places of payment must be travelled by water, and, by making the payments late, the expenses are materially increased by the delays occasioned by storm and bad weather.

Horse stealing is prevalent among the Indians; indeed, the wild Sioux have reduced it to a science; roving among the sparsely settled districts of Dakota Territory, Western Iowa, and Minnesota, availing themselves of an unguarded moment to seize a horse, mount, and away; and, in some cases, even taking life to accomplish their object. There are no means of redress for the settler; the Indian's home is hundreds of miles away. Rewards are of no avail, even if the advertisements should chance to reach the Indian country. An agent can, in most cases, ascertain when stolen horses are among his Indians; but that is of no avail unless he has the power to recover; and recovery does but little towards

prevention, unless he has the power or ability to arrest and punish the thieves. The whole Sioux country is an open prairie. There are no forests or swamps for the Indian to hide in; he depends upon running to escape capture.

A company of soldiers should be so located as to be available for any emergency. Infantry do not inspire the Indian with fear as do mounted troops. A much less number of cavalry would keep the Indians quiet and peaceable than would be required of infantry.

I therefore recommend and strongly urge that a company of cavalry be stationed at Yellow Medicine. It would serve alike to overawe the wild Indians, horse-thieves, and whiskey-sellers; to catch the two latter, and protect the "Farmer Indian" from depredations.

There is a great necessity that treaties should be made with the Red Lake Chippewas and the Yanktonais band of Sioux Indians. The first inhabit the country about the Red River of the North. Within a very few years an extensive trade has sprung up with the settlements in the British territory; a large white population is extending along and adjacent to the river; railroads have been projected through the country; mail routes have been established, and steamboats run upon the river. All these enterprises are more or less retarded by the Indians, who claim to own the country. Mail carriers and steamboats have been stopped and detained by the Indians until their demand of pay for travelling through their country was complied with; and I am informed by the mail contractor that they are threatening to stop all mail and steamboat communications in their country. A bad feeling is growing up between the Indians and settlers, which threatens serious consequences, unless soon arranged. Jealousies exist between these Indians and those Chippewas with whom treaties have been made, and they claim rights in the land sold. Their country borders on the British possessions, and much of their trade goes that way, thereby giving the British trader a great influence over those Indians, for good or evil; and I fear, in the present state of affairs, and with the feuds existing between the British and American traders, they do not exert an influence with those Indians for the benefit of American interests; and much trouble may be expected from them until they are bound to this government by treaty stipulations. (I am aware that efforts have been made to treat with these Indians. Why it failed is unnecessary to ask. Suffice it to say, a treaty can be made, and on advantageous terms.)

The Yanktonais bands of the Sioux are a wild, roving race, constantly committing depredations upon the defenceless inhabitants of the frontiers of Minnesota, Iowa, and Dakota. They are intimately connected with the Sissetons and Wappetons, attend every payment in greater or less numbers, and from their daring and warlike spirit overawe the peaceably disposed and animate and encourage the vicious among the other bands. They adhere with great pertinacity to their claim that they owned a share in the lands sold to the government by the treaty of 1851. Their audacity renders troops necessary at the payments.

An attempt was made, a year or two since, to make a treaty with them. It failed, and the presents sent on for them were afterwards given to their hereditary enemies, which exasperated them still more, and now all kinds of threats are indulged in. They, however, express themselves as not only willing but anxious to treat with the government. A treaty would not only settle the difficulties about ownership of lands, and bring them under control of the government officers, but have a beneficial effect upon the other Indians by increasing the chances of civilizing the Sissetons about Big Stone lake, among whom it is contemplated to establish shops, open farms, and make improvements the coming spring. I recommend that early attention be paid to this subject, particularly to that of the Red Lake Indians.

The growth of the northern part of this State (Minnesota) and the wants of

commerce alike demand that the highway to the British territory be in actual possession and control of this government.

For a more detailed report of the condition of affairs in this superintendency I respectfully refer the department to the reports of—

Thomas J. Galbraith, agent; A. T. C. Pierson, superintendent of schools; M. M. Carson, carpenter; N. A. Miller, blacksmith, for the Sioux.

St. A. D. Balcomb, agent; Ira S. Smith, superintendent of schools, for the Winnebagoes.

L. C. Walker, agent; T. Ayer, farmer; S. J. Wright, teacher; G. F. Townsend, physician, for Chippewas of the Mississippi, Pillager, and Lake Winnebagoish bands.

L. E. Webb, agent; V. Smith, physician; R. W. Spicer and Dillon O'Brien, teachers, for Chippewas of Lake Superior.

Very many different ideas have been advanced relative to the civilization of the Indians—many plans proposed to bring about a change of their habits, customs, and mode of living. Theories and experience are two very different matters as to the means to be made use of in improving the Indian tribes. We find, on coming to reside among the Indians, a very different state of facts from what we were induced to believe by reading reports and descriptions of their habits and customs. No matter how fine a theory, or how complacently men talk about Indians and Indian affairs, one week's actual residence with the Indians is usually enough to eradicate nearly all preconceived notions and theories from a thinking mind.

There is something more necessary to be done to educate the Indian than to teach him the arts and sciences or religion. His whole nature must be changed. He must have a white man's ambition, to be like him. He must have the objects and aims of a white man; for however well an Indian may be educated, in a literary sense, or however fine a mechanic or agriculturist he may be when he gets through a government school, if he looks to the chase for his livelihood, or to the war-path for position and honor, and to the medicine-dance for his religion, he is but the more of an Indian, and more dangerous than while he was ignorant; therefore the necessity of less theory and more that is practical in the Indian country, and what might seem bad teaching to the white man may be good teaching for an Indian; for instance, we would say that it is bad to teach the white man to be more mercenary or ambitious to amass wealth than he is. But could you change the disposition of the Indian to one more mercenary and ambitious to obtain riches, and teach him to value the position consequent upon the possession of riches, it would call forth the necessity of putting in practice what he learns at the government schools. He would soon dispense with the scalp-lock as useless and unprofitable; he would throw aside the blanket as an inconvenient dress to plough, sow, or reap in. This disposition implanted in the minds of the Indians, they would soon have fine farms, for they have productive lands. They would soon find means of taking care of their cattle and property, and of protecting it from the hostile Indians; they would soon understand and appreciate laws respecting the rights of property, and ask to be governed by them; their tribal relations would be broken down, and, of necessity, they would become industrious.

Very respectfully, your obedient servant,

CLARK W. THOMPSON,

Superintendent of Indian Affairs.

Hon. WM. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 23.

AGENCY OF THE CHIPPEWAS,
Lake Superior, Bayfield, October 28, 1861.

SIR: I have the honor to submit herewith my first annual report of the condition of the Indians within this agency.

In the discharge of my duties I have been subjected to great annoyance and extra labor from the fact of finding no record of past operations in this office. Upon my arrival here I found the agency house on the Red Cliff reservation in an unfinished state, and having no funds in my hands for the purpose I have been unable to forward its completion. The saw-mill on this reserve has been completed according to the contract made by my predecessor; and works admirably. I have had 15,000 feet of lumber sawed and distributed to the Indians, and shall have a sufficient quantity sawed before snow falls to supply all their present actual wants.

The school-house on this reservation I found in a very unsafe condition, and have had it thoroughly repaired, erected chimneys, and built out-buildings. The school is under the charge of Mr. Dillon O'Brien, assisted by his wife, Elizabeth O'Brien. I beg leave to call attention to his report, herewith submitted.

This reserve being located on the lake, where there is an abundance of fish the entire year, and being under the immediate supervision of the agent, the Indians who are located thereon are the most comfortable of any within this agency. I have supplied them with cattle, and the blacksmith furnishes them assistance in their agricultural pursuits.

I have made several visits to the Indians on the Bad River reservation. The land of this reserve is of excellent quality, and the Indians have given considerable attention to agriculture. Many of them have selected their 80-acre tracts of land, under provision of article 3 of the treaty of September 30, 1854, and many have erected comfortable houses. They seem anxious to secure patents for their 80-acre selections, and I have never visited them when they did not inquire of me as to when they would receive them. Having been promised by former agents that they would be issued without delay, I find considerable disappointment manifested by these Indians in this matter, and would recommend it to your attention.

I have secured the services of James A. Wilson, as farmer, to assist them in agriculture. They appear much pleased, and promise to make good farms another year. The influence of the manual labor school connected with the mission, which is located on this reserve, has, in my judgment, produced beneficial results upon the Indians. The day school is under the charge of Miss R. W. Spicer. I have visited the school upon two occasions, and was very much gratified with the progress of the children in their studies. The difference in progress of the children who are in the mission boarding-house and the day scholars is very marked in favor of the former, as his school compares favorably with many schools of white children in the States. I beg leave to call attention to the accompanying reports of Rev. L. H. Wheeler, superintendent of the mission, and Miss Spicer, school teacher.

I have made two visits to the Indians at Grand Portage. The land of this reservation is also of good quality, and usually the root crops produce remarkably well; but, owing to a protracted drought, I am informed that they will have a very small crop this season.

Their school is under the charge of Mr. Timothy Hegney, assisted by his wife, who are untiring in their devotion to the interests of their pupils. Owing

to the fact of there being no mail route to Grand Portage, Mr. Hegney's report has not been received. This reserve is located on the north shore of Lake Superior, and the fish are very abundant and the finest in the world. I have furnished the Indians with lumber, and several houses are now in process of erection.

I have visited the Indians at Fond du Lac once, and regret to report that there is no progress in the right direction on this reserve. The Indians complain of the location of the reservation, and say the land is very rough and stony; that there are no fish there; and that they do not and cannot live there. They ask permission to have the blacksmith removed to the western border of the reserve, near Perch Lake, where the land is better, and where there are fish.

There is no road to this reservation, and I recommend an appropriation sufficient to construct a wagon road, which, in my judgment, can be done for the sum of five hundred dollars. The annual saving in expense for transporting annuity goods and supplies for the smith's shop would pay for such an expenditure in two years, and would greatly facilitate efforts for the improvement of the condition of the Indians located on this reserve.

The Bois Forte bands of Indians have their reservation at Vermilion lake, about 200 miles from Grand Portage, in Minnesota. I have sent them a blacksmith and assistant, together with supplies for the smith's shop for the ensuing year, and have instructed them to devote all their time, when not employed in the shop, in assisting the Indians in agriculture.

Numerous complaints have been made of depredations committed by the Lac du Flambeau and the Lac Court Oreille bands of Chippewas, who are in the habit of roaming about the white settlements on the Chippewa and St. Croix rivers. I have met the chiefs in council, and represented to them the result of such acts. They promise that if their reservations at Lac Court Oreille and at Lac du Flambeau are surveyed, and encouragement given to them, they will bring in their bands and settle on their reserves. I most earnestly recommend an appropriation of money sufficient to survey their reservations, as the surest and cheapest mode of preventing their continued depredations.

In my judgment, if this could be done according to stipulations of the treaty of September 30, 1854, and a blacksmith furnished the Lac du Flambeau bands—there being one at Lac Court Oreille—the Indians could be induced to locate permanently on their reservations, and, with proper encouragement, would devote much attention to agriculture.

I have endeavored to impress upon the minds of the Indians, and I trust with some degree of success, the importance of industry, and of devoting their attention to the cultivation of the soil, and building for themselves houses, and making homes for their families. I have adopted the policy of helping such as manifest a disposition to help themselves. The plan adopted is, to furnish lumber, nails, sash and glass, and carpenters to assist in completing their houses, whenever they would cut and hew the logs, and erect the body of the house. I feel confident in being able to assist them in making considerable progress in their efforts to establish themselves comfortably in homes, and to check, in a great measure, their propensity to a roving life of idleness.

I beg leave to call attention to the report of the physician, herewith submitted, regarding the health of the Indians during the past year. The Indians appear to have the fullest confidence in their physician, who has been untiring in his efforts in rendering them professional aid.

The payment was made at Fond du Lac on the 27th of September, at Grand Portage on the 8th of October, and at Bad River on the 21st and 22d of October.

I beg leave to mention a fact well known to yourself, who was present at all the payments, that not a drunken Indian was seen at either the Fond du Lac, Grand Portage, or Bad River payments; and being detained at Grand Portage

four days by a storm, it gave me an opportunity of knowing the result after payment; and at Bad River, where, with the utmost vigilance of the agent, it seemed impossible to prevent the sale of whiskey, I am assured by the Rev. L. H. Wheeler and others that so orderly and quiet a payment has never before been witnessed.

L. E. WEBB, *Indian Agent.*

CLARK W. THOMPSON, Esq.,
Sup't Indian Affairs, St. Paul.

No. 24.

INDIAN RESERVE, RED CLIFF,

September 14, 1861.

SIR: According to your instructions, I have the honor to submit the following report of the Indian school under my charge:

Acting on written instructions received from the late agent, Colonel Drew, I removed with my family last April from La Pointe to this reserve, and on the 1st of May opened school, the female department being under the charge of my wife, Mrs. Elizabeth O'Brien.

I have on my school roll the names of thirty-three pupils—twenty-one boys and twelve girls; but I regret to say that their attendance is very irregular, and I respectfully suggest that, in my opinion, some slight reward for good attendance is about the only means to obtain such. For instance, the girls attending have never been to school before, many of them are fully grown, these quickly weary of endeavoring to learn the alphabet, and there is no home influence to induce them to persevere; but if such were employed during a portion of the school hours in plain needlework, the articles so made to become the property of the girls, after a certain time, on condition of good conduct, regular attendance, cleanly habits, &c., I feel assured that a large and regular attendance of girls, at present in a very abject state of ignorance, would be obtained, while the employment I have suggested would teach them habits of industry and neatness; and it should be remembered that in any well-digested plan for the improvement of the Indian, female education must be a prominent feature, for the mother only has any parental authority or influence in the Indian wigwam. Of the pupils attending this school but six have ever received any tuition previous to its opening. Of these, four are reading in the First Reader; the remaining two, who were for over two years under my charge at La Pointe school, read and write English well, are perfect in the four primary rules of arithmetic, and have a slight knowledge of geography. Indian children are by no means deficient in natural abilities. I may instance the chief Tichichignea's son, a boy of eight years of age: last May he did not know one letter of the alphabet; he has now nearly gone through the First Reader, and commenced the first rule of arithmetic. None of the other children have made such progress; but he attended regularly, they did not.

I have reason to hope that this school will increase during the winter. Some of the young men on the reserve, who have a slight knowledge of English, inform me that during the winter evenings they will come to my house to improve themselves in the language. I will give them every assistance in my power.

Your obedient servant,

DILLON O'BRIEN.

Gen. L. E. WEBB, *Indian Agent.*

No. 25.

YELLOW. MEDICINE, *September 15, 1861.*

SIR: In compliance with the regulations of the Indian Department, I have the honor to submit an annual report, as the superintendent of schools for the Upper and Lower Sioux.

The report proper must be meagre, as I found the school affairs in such a condition as to afford matter for any other than a favorable one. Not one dollar has been received from any quarter applicable to school purposes since my appointment, the first of June last; consequently but little has been done upon which to report.

At Redwood, ten miles west of the lower agency, a school was opened early in June. The roll contains the names of some thirty boys and girls who have attended, but the average number in daily attendance is fourteen.

The building appears to have been hurriedly erected, without reference to convenience, or capability of using for the purposes for which it was ostensibly constructed. It contains but three small rooms, and the only one that can be used for school purposes is the kitchen. In that room, for three months past, have from fifteen to twenty-five children assembled, to be taught, or rather to be shown books, as little else could be done.

I found one school in operation, or rather supposed to be—the so-called manual labor school. The facts with regard to this institution I found to be as follows:

The principal teacher was an American lady; the assistant teacher, her husband, a half-breed Sioux. They had one man employed as laborer, and a woman as laundress. The salaries amounted to \$1,080 per year, and "found." The whole number of scholars—most of whom were relatives of the assistant teacher—was thirteen, eight of whom were under eight years of age. Each was boarded and clothed out of the school funds. A calculation of the amount of money necessary to support this school one year, based upon the cost of the supplies drawn from the warehouse during one month, produced the sum of \$4,918, or over three hundred and seventy-eight dollars for each scholar per year.

The result of the combined labor of the two men and two boys I found to be the cultivation of a field containing about twelve acres, sown to weeds, as no other crop was visible to the casual observer.

The children were dressed in frocks or coats, and pants; a few words of English could be spoken by three or four; some could read a little; all were happy, and apparently kindly cared for; and, in answer to a question, replied, "Yes, Sir," or "Yes, Ma'am,"—very commendable, and reflecting credit upon the teacher.

Deeming this result not worth \$5,000 per year, I discontinued the "manual labor school."

This is the school of which much has been written, citing it as an example of the great good to be accomplished by the manual labor system of instruction.

As a report is expected to contain suggestions, it will be proper to give a synopsis of the plan upon which it is proposed to conduct the schools among the Sioux in the future.

But first: the history of educational efforts among the tribes of the northwest demonstrates that mere book education is of no practical benefit to the Indian—nay, is in fact worse than useless, as it gives him greater facilities for pursuing the vicious courses of his fellows. It makes no difference whether that education was obtained in day, boarding, or manual labor schools, whether in the Indian reservation or abroad in the States.

Many Indians have received a good book education in schools in Ohio, Illinois, Kentucky, Tennessee, and other States, remaining in those States from one to

four years; and yet, looking at them to-day, it would not for a moment be even surmised that they had ever been separated from their homes in the wilderness, much less had ever associated with civilized society, or resided in Christian families.

It is very common to meet with both males and females among the Indians dressed in full costume—blankets, stroud, leggings, feathers, paint, &c.—who, in either the English or some Indian language, read and write readily, fluently, and even elegantly, and some who are quite proficient in arithmetic, geography, history, &c.; all of which knowledge has been acquired in schools either at home or abroad. Each of them adheres to all the customs, superstitions, and vices of his race.

What good, permit me to ask, had they received from their education or civilized associations?

The long-continued, patient, active toil of the devoted missionary or faithful teacher, the large expenditure of money, had resulted in no practical advantage. It is true that, during the school term, newspapers, pamphlets, and reports would teem with flattering accounts of the advancement being made towards civilization: scholars could read and write, as if learning from books alone would wean the Indian from depending upon the chase for a livelihood, or overcome his indolence and repugnance to labor; would entice him from his roving habits, and cause him to settle upon and cultivate a piece of land, or induce him to respect the rights of property; be sufficient to eradicate his superstitions, or influence him to abandon his evil and vicious courses. Learning to read and write merely affords the Indian no new facilities for obtaining his "daily bread," gives no development to his great imitative mechanical powers, or practical instruction by which he can manufacture articles for the support or convenience of himself and family.

Notwithstanding all his education, he must follow the chase for a subsistence, or become a pensioner upon the schools or churches; and yet, after all their dear-bought experience, I know not one teacher remaining in the Indian country who will acknowledge the fallacy of the system.

Shall the government go on, year after year, expending large sums of money in sustaining and thus sanctioning a system which experience has demonstrated as of no practical advantage, or adopt another which unprejudiced persons, long familiar with all the efforts made towards their civilization, declare they believe to be the only system from which any practical beneficial result may be hoped, and which, if faithfully carried out and steadily adhered to, must revolutionize their habits, and prove permanently beneficial?

The present Commissioner of Indian Affairs has demonstrated that he is actuated by an ardent desire to benefit the Indians, anxious to correct any abuses that may exist, determined that justice shall be done to them, and that the money appropriated to carry out treaty stipulations shall be economically expended, and for their best possible advantage. Knowing this, I am encouraged to believe that the system proposed will meet with the active co-operation of the department.

The system is simply to combine labor and book instruction, labor being the primary and books a secondary consideration in the schools. Make labor attractive, inculcate in the young mind the idea that idleness only is disgraceful; that to labor is noble and the true destiny of man, and that it lies at the foundation of all human improvement.

But a stronger appeal must be made than to his reasoning faculties, if you would influence an Indian. You must appeal to his controlling organ, his stomach, an appeal which seldom fails, and one which is invariably made by those who have objects to gain, or who wish to influence him.

Wearing the blanket as a constant article of dress is an insurmountable barrier to successful labor, as little can be accomplished so long as one hand is em-

ployed to keep the blanket in place. The first step in the process of civilizing Indians is to induce them to discard the blanket and adopt the dress of the whites. The next step is to overcome their repugnance to labor. This will be a slow process, but with proper inducements, judiciously managed, can be done.

To accomplish the first a substitute must be adopted, and that substitute is found in coats, pants, frocks, &c., the cutting and making of which is a part of the education of the females. The clothes thus made are distributed among the scholars as occasion may require.

The females are more tractable than the males. They gladly avail themselves of any means of instruction that conduces to their prosperity or ornament. No trouble is experienced in getting them to attend school, even should nothing be taught them but household duties. With the females the second step is easy, but with the males it is different. They have an innate pride that is opposed to all labor, except such as belongs to the chase, and the drudgery of that even is performed by the female.

The male, then, must be reached by the irresistible appeal to his stomach, and by making labor attractive. The school hours should be regularly apportioned to labor and reading.

Let the boy, a semi-apprentice, be put to making some small or trifling article which, when completed, is presented to him, something that will be useful to him or his parents, or afford him new pleasure in his hours of recreation, such as a small sled, wagon, table, box, fish spear, &c. Instead of boarding, and as a further encouragement, give each scholar for each full day's attendance a certain ration of flour and pork.

Having made a sled, he has learned something of the manner of using tools; he is gradually advanced until able to build his own house or to make a wagon, household furniture, &c. The Indian has great imitative faculties, and the boys learn the use of tools quicker than the average of white boys.

Particular attention must be paid to farming, as that is perhaps the most necessary branch of education for Indians. For pursuing this branch the inducements are the clothes, rations, and the prospect of a division of the crops, either when harvested or during the winter.

All clothes distributed should be made in the school, but no making of Indian costumes should be allowed therein nor worn after others have been once furnished. The teachers therefore must be—the females, dressmakers and tailors, capable of cutting and making up all articles of dress, and of instructing in household economy; the males, farmers and mechanics, such as carpenters, wagon-makers, blacksmiths, &c., capable of doing all the kinds of work necessary in an Indian country. Such persons are easily obtained who are perfectly competent to teach reading, writing also.

Among the other advantages of this system are, 1st, it tends to keep the Indians on the reservation, through the rations, and thus prevents the committing of depredations, a source of much annoyance and difficulty; and 2d, it gets up and sustains a better feeling towards the government and its agents, as the Indians have a practical demonstration of the use made of the school funds. A great advantage of this system over that of boarding or the manual labor system consists in its comparative economy, and its being practically a system of manual labor. It can be conducted with at least forty per cent. less expense, and at the same time accommodate a much larger number of scholars. The boarding schools require from five to nine persons to each school, and large sums are thus paid in salaries that could be more advantageously expended for the Indian.

The system proposed requires but two and at most four persons in a school, all of whom would be teachers, no "laborers" or "laundresses." Teachers requiring help in their own household duties should pay for it out of their own funds. Teachers should be paid a certain specified salary. There should be no

fees and no boarding, thus saving the proverbial waste and extravagance of boarding schools when the materials are furnished by government, and leaving no loop-hole for uncertain expenditure. The sums expended cannot exceed the amount provided by treaty stipulations for school purposes.

The Sioux, in their present transition state, are peculiarly adapted for this system. It affords encouragement and assistance to the young in pursuing the course which is having such happy results with their parents and neighbors. Training up children under such a system must eventually civilize the tribe, as is apparent to all who have witnessed its effect upon those termed "Farmer Indians."

School buildings should be planned with reference to their adaptation to the purposes named. Scarcely a building on the reservation is adapted for any kind of school use. If schools are kept, additions must be made to the shells called "school buildings." They should be furnished with all the materials necessary for a successful and economical prosecution of the system. For the female department will be required materials for making up clothing; for the male, sets of common tools and agricultural implements. An ample supply of books is on hand.

Schools should be located with reference to the accommodation of the largest number of scholars; and I would recommend as suitable places for the present Wabashaw's Village and Redwood, among the Lower Sioux, and Red Irons Village, Lac qui Parle, and Big Stone Lake, among the Upper Sioux, at as early a period as practicable.

At Big Stone Lake there are no buildings; but as materials are convenient, the expense of erecting them would not be great. At each of the other locations merely additions will be required. Employés in the Indian country can scarcely expect palatial residences. Comfortable log-houses have accommodated families in civilized countries; they certainly ought to be sufficient on Indian reservations. Plans for additions are herewith submitted. Teachers should be married, as it would be hardly proper, even in an Indian country, for unmarried parties to be associated in teaching and living, as they must necessarily, in the same house, many miles away from other white persons.

The civilization and education of the Indian have engaged the attention of the philanthropic and benevolent for many years; but thus far the results obtained have not in any degree been commensurate with the self-sacrificing toil endured and the large sums of money expended. Many, after years of labor, have left the field disheartened, satisfied that their labor was useless, some even doubting whether any practical results could be obtained. It is not because the Indian cannot be civilized that they have failed, but because, not profiting by experience, they have depended too much upon books and inspiration, without using the requisite human means.

A dozen years' residence on the confines of the Indian country of the northwest; a careful study of the Indian customs, habits, character, and the means made use of to influence them; an intimate acquaintance with the various school systems used among them; and an interchange of views with many persons of large experience and of many years' residence among and intimately acquainted with them, and some experience of its practical workings, have convinced me that if the system herewith delineated will not, if steadily adhered to, revolutionize and civilize the Indian, none concocted by man ever will.

The position of superintendent of schools among the Sioux, in faithfully carrying out this system, will be anything but a sinecure, involving the necessity of visiting each school at least once a month—travelling from one end of the reservation to the other, a distance of one hundred and forty miles, through a country uninhabited except by the "sons of the forest;" at some points obliged to occupy the earth for a bed, with the heavens for a roof—seeing that none of the branches of education are neglected, and that the necessary supplies are procured and economi-

cally and beneficially used. All this involves some labor and not a little exposure. The results hoped to be obtained warrant the risk of the difficulty and danger.

Hoping that the next report can be equal to your expectations, as I know it cannot be with your desires, I am, sir, very respectfully, your obedient servant,

A. T. C. PIERSON,

Superintendent of Schools for the Upper and Lower Sioux.

T. J. GALBRAITH, Esq.,

United States Indian Agent.

No. 26.

WINNEBAGO AGENCY, *September 16, 1861.*

SIR: In compliance with the regulations of the department, I respectfully submit the following brief report:

Having but just entered upon the discharge of my duties as superintendent of the Winnebago schools, and being unable to ascertain from any reliable data at hand the past progress of the pupils, my report must necessarily be unsatisfactory.

The number of scholars for the past year has been as follows:

Males.....	70
Females.....	59
Total.....	<u>129</u>

Average attendance about 80.

Mr. Bradford L. Porter is still retained in the male department as interpreter and assistant teacher, and Mrs. Mary Alexander in the same capacity in the female department. The girls devote a portion of each day to sewing and knitting, under the immediate supervision of Mrs. Alexander. Much practical good is accomplished in this way, and the girls evidently take much delight in thus being able to learn so essential a branch of industry. They knit their own stockings, and make garments for both themselves and the boys. The boys chop and secure all the wood that is used in both departments. I am convinced, after three weeks of personal observation, that the schools upon this reservation sadly fail to realize the marked results that former reports have led us to expect from them. This is owing mainly, I am led to believe, to the insufficiency of the present system to overcome the serious obstacles which lie in the way of all true progress. Such are the tribal relations of this people, such their peculiar habits and tastes, that it is next to impossible to secure that regularity and punctuality of attendance so indispensable to positive intellectual and moral advancement. It is of the utmost importance that scholars attend regularly upon the duties of the school-room. It is indeed the condition, which ultimately crowns the efforts of the teacher with success. It is in vain that we attempt to accomplish anything like satisfactory results unless these Indian children are constantly kept under the supervision of competent teachers. In view, then, of these facts, I would most respectfully recommend the establishment of boarding-schools, based upon the manual labor system, as early as practicable.

So far as my observation extends, I am fully satisfied that the boarding manual labor system is the only one upon which we can rely for permanent success in the education of these unfortunate children of the forest and prairie. The new policy of locating this tribe in severalty upon their lands may, and doubtless

will, do much to improve matters in this respect; but even this will not remove the greatest hindrances to their intellectual improvement.

Very respectfully, your obedient servant,

IRA S. SMITH.

No. 27.

RED CLIFF, *September 20, 1861.*

SIR: I herewith submit my report as physician for the Lake Superior Chippewas under your agency. I was appointed and entered upon my professional duties, August 1, 1860. The diseases I found prevailing to the greatest extent were scrofula and syphilis in their various forms; the former, especially, is very prevalent in all the different bands under your agency, owing, in many instances, to exposure to cold and damp weather in this northern climate and insufficient food and clothing. The treatment ordinarily adopted has been very successful: nearly all have been much benefited if not entirely cured. Other diseases incident to this climate occasionally occur, such as pneumonia, dysentery, and diarrhoea, all of which generally yield readily to proper medical treatment. I have devoted my time, as nearly equal as seemed practicable, between the Indians on Bad River and Red Cliff reserves, visiting the other reserves when sent for. My customary practice is to leave medicines and medical prescriptions with the government employes on the reserves, to be served out, in ordinary cases, in my absence. This arrangement, I find, gives general satisfaction to the chiefs and heads of families. My visits to the more distant reserves have been limited to cases where surgical aid could be rendered. I shall adopt the plan of leaving medicines and prescriptions with the more distant bands at the time of payment when I expect to meet them and have a mutual understanding. The efforts you are making and the aid you are rendering the Indians to locate permanently on their lands, assisting them in building comfortable houses and clearing up farms will not only render them more happy and comfortable, but will very greatly assist in promoting their general health.

Respectfully, your obedient servant,

V. SMITH, *Physician.*

General L. E. WEBB, *U. S. Indian Agent.*

No. 28.

CHIPPEWA AGENCY, *September 25, 1861.*

SIR: In accordance with the requirements of the department, I herewith submit my first annual report.

Since I entered upon the duties of my office, on the first day of May last, I have visited the Indians under my charge, and found them in a tolerable condition of health and contentment.

Of the Mississippi bands I am compelled to state that they have no farms under cultivation; and although there was a small amount of money turned over to me by my predecessor for the purpose of clearing and breaking on the reservations of these Indians, it is entirely inadequate to carry out the stipulations of the treaty on that subject, or to benefit them to any general extent, or in any permanent manner.

I have also to report that there are no schools established for their benefit, the great need of which is very apparent, and often in their councils they speak of this something, which they much deplore. But the most formidable obstacle to be encountered in introducing these or any improvements for their elevation is, that their reservations are disconnected, and some of them a great distance from the agency, which render it impossible for the agent to have an immediate supervision of such matters, this being necessary, in order to make them of any great and permanent advantage to the Indians. I would therefore suggest the propriety of removing these bands to one reservation. This would give the agent a more immediate control over their conduct, and would give him a greater power in suppressing the traffic in ardent spirits, which is carried on entirely off the reservations and sold to the Indians by a class of corrupt and lawless men, who hover around the reservations ready for any act, however monstrous, cruel, or unlawful.

And in this connexion I will state that I understand there is a large arrearage fund due these bands, which they are all very anxious should be expended for their use. They often speak of this fund, and the great necessity of its expenditure in building their houses, ploughing their lands, furnishing them seed, establishing a school, and other advantages, of which they feel the great need. I would therefore urge the necessity of its immediate appropriation.

I would call the attention of the department to a difficulty which is likely to arise in relation to an alleged contract existing between the Rabbit Lake band of Mississippi Indians and Dorvillus Morrison, for the cutting of timber upon their reservation. The Indians complain that the contract was obtained from them by promises which have never been fulfilled, and that the compensation received by them annually is entirely inadequate to the large amount of timber cut and carried away, while it also destroys their hunting grounds, and renders their reservation valueless. You will allow me to suggest the impropriety, if not the illegality, of any party entering into a contract with any bands of Indians, whereby such party has the right to enter upon their reservation at any time, for any length of time, and in such force as he chooses, without restraint from the agent. It is a continual cause of irritation among the Indians, and often difficulties, growing out of the contract or the presence of the whites among them, require the attention of the agent, and render them more difficult of management and less tractable than they otherwise would be; while it also seems to me to be in violation of the treaties and the strict letter and spirit of the laws enacted for their government and regulation.

I have very recently visited the Pillager and Lake Winnebigoishish bands, and found them, to a considerable extent, industrious and desirous of abandoning their roving habits, and turning their attention to cultivating their lands as a means of subsistence; many of them have fields which are looking very well. I herewith transmit the report of Mr. Ayer, who superintends the farming for these bands.

The manual labor school at Leech Lake is under the charge of Mr. Wright, whose report is hereto attached.

The school does not flourish as it would if it was more remote from the parents of the scholars, and more immediately under the supervision of the agent. I would therefore suggest the great advantage to be derived from a school to be located near this agency, and a farm connected therewith, where it would be under the direction of the agent, and removed from the earlier associations and wild and roving habits of the children.

In compliance with instructions from the department, I furnish the following information:

The names of tribes within my agency: Chippewas.

The number of souls in each of either sex: Males, nineteen hundred; females, twenty-two hundred.

The approximate wealth of each tribe in individual property : Three thousand dollars.

The number of schools : One.

The designation and location of each : The manual labor school at Leech Lake.

The number of scholars in each of either sex : Males, thirteen ; females ten.

Under charge of what religious society : None.

The amount contributed by individual Indians : None.

The number of missionaries to each tribe, and of what denomination : One Scandinavian missionary at Rabbit Lake reservation.

I would call your attention to the difficulties which are likely to arise in regard to the boundary lines of the several reservations under my charge, and especially the boundaries of Mille Lac reserve, which are now in dispute between the Indians of that band and the settlers along the lines, and recommend a survey of the same.

I desire to impress upon your attention the urgent necessity of an early distribution of the annuities to these Indians. By this course they are easily collected ; their journey to the places of payment made with comparatively little hardship ; they are enabled to return to their homes before the intensely cold weather of winter commences, and prepare for the collection of furs during that season ; while, if the payment is made late in the fall, it is impossible for many of them to make the journey, and the hunters return too late to prepare for their winter pursuits—an object of far more importance to them than the value of their annuities. I would therefore recommend that the payment be made at as early a day as the 1st of October.

I herewith transmit the report of the resident physician, Dr. Geo. F. Townsend, who has been very successful in treating the various diseases prevailing among the Indians under my charge.

I take great pleasure in reporting that all the Indians within my agency are quiet, and well disposed toward the government.

Very respectfully, your obedient servant,

LUCIUS C. WALKER,
U. S. Indian Agent.

Hon. C. W. THOMPSON,
Superintendent of Indian Affairs, Minnesota.

LEECH LAKE, *September 20, 1861.*

SIR : I herewith report to you in relation to the farming and building operations under my charge of the Pillager Indians.

In obedience to your directions, early in May I bought oxen and ploughs and hired men, and proceeded immediately to this place to plough for the Indians.

Could we have been on the ground ready for action two weeks earlier, we could have done up our work more satisfactorily to ourselves and accomplished much more. We ploughed not only almost all that was cultivated the previous season, but broke several new pieces, besides many small additions to fields before cultivated.

No seed excepting turnip and pumpkin was furnished them by ourselves. Such as were destitute of corn and potatoes procured them of Indians who had a surplus. There was more ground planted than ever before. The men generally aided their wives in planting. Some portions suffered from drought, but on the whole their crop of corn, and especially of potatoes, is good, and they feel well remunerated for their labor.

The Indians of this lake, for whom we plough, are located principally on the

eastern shore and Bear island, and are much scattered, being in fifteen neighborhoods, the extremes of which are twenty miles apart by the shore. Their scattered condition, and the distance to many of the points renders our aiding them slow, tedious, and expensive, having to camp out and move several times from one point to another.

With the limited means available for agricultural purposes they can make but little advance from year to year. Were they located in one body they would derive permanent benefit from the help annually received by them.

Their fields are small, ranging, I think, from one-quarter of an acre to two acres. The land is generally good, and very good on Bear island, where there is a large band. That in the neighborhood of the government buildings and near the trading houses is the poorest of any. Some twenty acres of this, though cleared, has not been broken on account of its barrenness.

Within a year quite a number of the principal of the Indians have often expressed a desire to have a house. In accordance with your directions, houses are now in the course of building for a few of the principal men. Some others are so anxious to have a house that they voluntarily offer to cut the logs and aid in sawing if we will help them build. Others offer to build without our aid if we will supply them with nails, glass, and lumber.

With regard to the Lake Winnipeg and Cap Lake bands, I cannot report so favorably. A trustworthy man was sent over as early as practicable to take charge of the work there. He found the three yoke of oxen there so poor and weak that he could accomplish comparatively little with them. Consequently all was not done there that ought to have been, and no work done with the team at Cap Lake.

The Cap Lake chiefs proposed, that as the teams were in such a plight, that we should give some potatoes to the more destitute families in lieu of ploughing. To this proposition we readily acceded, and gave them as desired. These bands have not had their proportion of aid hitherto, in farming. They are too remote from the mill to derive benefit from it.

I would suggest that timely and efficient aid be given them another season in their fields. The steam saw and grist mill in the charge of Lyman Ayer has cut about 80,000 feet this season, all of which has been appropriated to the use of the Indians.

Very respectfully,

F. AYER.

Major L. C. WALKER, *Chippewa Indian Agent.*

DEAR SIR: The following is the report of the government manual labor school for the Pillager and Winnegoshish Indians for the quarters commencing April 1 and ending September 30, 1861:

Boys.	Branches taught.	Age.	Girls.	Branches taught.	Age.
John	Reading, writing.	15	Charlotte ...	Reading	14
Robert	do.....	14	Jasette	do.....	14
Aslin	do.....	14	Mary	do.....	11
Johnny	do.....	13	Susan	do.....	7
Henry	do.....	12	Catharine...	do.....	8
Peter	do.....	14	Nancy	do.....	10
William	Reading	10	Maria	do.....	7
Francois	do.....	8	Weset	do.....	11
Pierish	do.....	7	Elizabeth...	do.....	6
Francis	do.....	7	Jane	do.....	7
John	do.....	9			
Joe	do.....	6			
George	Reading, writing.	12			

The scholars are all boarded and clothed by the teacher, and attend regularly. Two vacations occur in the year—one during sugar making, and the other while gathering wild rice. The children, without exception, appear much attached to the school, and have made good progress in their studies.

At regular hours all are required to perform a certain amount of manual labor. This is becoming so much a habit that very little effort is necessary on the part of the teacher to secure obedience. All are given to understand that a manifest disposition to disobey the rules of the establishment will be followed by expulsion from the school.

The parents all manifest much interest in the school. Only one child has left during the year. Almost every week we have application to take their children.

The boarding-house should be enlarged, which could be done with but little expense.

Respectfully submitted.

S. J. WRIGHT, *Teacher.*

Major WALKER.

CHIPPEWA AGENCY, *September 23, 1861.*

SIR: In compliance with custom, I submit my first annual report on the sanitary condition of the Indians under my charge. The disease (syphilis) most prevalent among them is slowly yielding to treatment in the bands near the agency, who are most thoroughly treated, while among the distant Indians, who are difficult to reach, it is on the increase. The males allow the disease to assume its secondary form in the majority of cases before presenting themselves; and the females being very reluctant to submit to proper treatment, it is evident that it will be a very difficult matter to extirpate it. No deaths have occurred from this disease under my observation, but a few are known to have taken place within the last year among Indians very distantly located. Pertussis and dysentery are the only diseases attended by fatality that have prevailed among them. The fact is the same in regard to these as to syphilis; that those bands

who have free access to treatment have escaped without a single death, so far as I know, while those remote have suffered severely.

A few cases of acute disease have fallen under my observation, none of which have terminated fatally. I have met a very small number of cases of phthisis pulmonalis. The proportion of cases in this tribe is smaller, I am satisfied, than among whites in any section of the globe. In fact, were the Indians free from the diseases resulting from immediate contact with the superior race, they would be a perfectly healthy people.

All of which is respectfully submitted.

GEO. F. TOWNSEND, *M. D.*

S. C. WALKER, Esq.,
United States Indian Agent.

No. 29.

YELLOW MEDICINE, *September 29, 1861.*

SIR: According to your instructions I have the honor to report that when I entered upon the discharge of the duties of my situation as carpenter for the Upper Sioux, I found scarcely any lumber or other materials fit to use, and the set of carpenter's tools turned over to you consisted of a few old jack-planes, a work-bench and screw, a few old chisels, gimlets, and augurs. This state of affairs retarded all operations for the month of July. I sent for my own tools, and am now using them. I do not think I should furnish tools for the department; and as you say you will not purchase any, permit me to suggest that the department ought to allow me a reasonable rent for the use of my tools. Since we have got lumber we have been kept very busy indeed. We are not able to keep up with the demands. The old wagons alone afford almost constant employment, and the new wagons which the Indians purchased at \$60 apiece from the traders are almost as bad. The traders ought not to be allowed to sell such miserable apologies for wagons to the Indians. The only use I can see in them is to make work for the carpenters. Indeed, I think, decidedly, that wagons are not the things for Indians. *Good ox-carts*, which can be got at a cost of about \$30 each, will answer a much better purpose, and will last Indians more than twice as long. We have done considerable in repairing old houses, and in aiding the Indians to make new ones. At a fair estimate, the work done in this department since July 1, 1861, is worth \$557 85, and the material used has been about 12,000 feet of lumber, 16,000 shingles, and 4,000 pickets. For amount of the nails, locks, hinges, glass, sash, putty, and paints used, I refer you to the books in your office, as these articles here are drawn from the warehouse on your orders, and I have no account of them at hand now. I am just on the eve of starting to St. Paul to attend the United States court as a jurymen, and cannot spend time to make my report as accurate as it should be. Hereafter, with the proper books, I shall be able to report everything in detail, according to your instructions.

Respectfully, &c.,

M. M. CARSON,
Carpenter, Upper Sioux.

I. J. GALBRAITH, Esq., *Sioux Agent.*

No. 30.

SIOUX AGENCY, YELLOW MEDICINE,

October 1, 1861.

SIR: An annual report of the affairs of this agency must necessarily be imperfect, when it is considered that it can only cover the time which has elapsed since the 1st day of June last—the day upon which I entered upon the discharge of the duties of the office of agent for the Sioux Indians.

At the end of each month, except the one just closed, as full and accurate a report of the transactions and wants of this agency has been made as time and circumstances would permit; and, in sundry estimates and special communications, all information deemed worthy of note has been transmitted. To these monthly and special reports the department is respectfully referred for many details which are deemed too extensive for this report. The special attention of the department is called to my report for the month of July last, which is quite full, and from which I shall draw freely for material for this.

On assuming the position of Sioux agent, it was my fixed purpose to devote my whole time to the discharge of the duties incumbent upon me, and to pursue such policy as, upon examination and trial, was found most likely to prove beneficial to the wards of the government committed to my charge; to change a policy which had been tried and found to work well; to do nothing for the sake of novelty and experiment; to adopt only the necessary measures to carry into successful practice so much of existing policy as seems good, at the same time resolved to abandon whatever was useless or wrong; and to recommend such changes, additions, and modifications as, upon examination, were deemed wise and useful. The cardinal and fixed object of the government being the civilization of the Indians, the best means to that end should be sought out, adopted, and vigorously and systematically pursued.

The policy inaugurated under the treaties of 1858, of separating each family from the tribes or bands and settling them upon a separate farm, has been the far found to promise good results, and to carry that policy out in good faith is my intention. To succeed in this, involves the employment of much time, labor, and money, and a wise and discriminating use of every expedient practical. The prejudices and habits of the Indian must be eradicated; habits of industry and economy must be introduced in the place of idleness and prodigality; the peaceful pursuits of home life must be substituted for the war-path, the chase, and the dance; and, more than all, the hostility of the Indian opposed to this policy must be met on the threshold. In short, the work is such as to call into requisition all the vigilance, patience, and prudence of which the human mind is susceptible.

The work has been commenced here, but only commenced. True, it is no longer an experiment merely, for it has been demonstrated that success at some future time may be attained; but it has also been demonstrated that it will be a work of long duration and of great labor of body and mind—a work in the prosecution of which the government and its agents must never grow weary or desist for a moment. To enter into a detailed and full account of what must be done would far exceed the limits of a report of this kind. Suffice it to say, that the first operation is to inculcate the right spirit; to give the intention the right direction, the “scalp-lock” must come off; the dress of white men must be adopted; the use of the tools, implements, and utensils of civilization must be taught; habits of industry must be inculcated by precept and example; ploughs, cattle, horses, stock, poultry, wagons, hoes, scythes, and other things must be furnished; the Indian novice must be taught to take care of and save; as each want supplied creates new demands and desires, these must be met; soon a de-

sire for literary education will arise, and this must be met; as each desire in the right direction arises, it must be gratified, in order that success may be insured; in other words, there must be no step backwards. In addition to all, sufficient force must be used to protect the "farmer Indians" from the hostile inroads of the still wild or "blanket Indians." When it is taken into consideration that there are nearly seven thousand annuity Sioux in this agency, besides nearly, if not quite, an equal number of Yanktonais, and that not more than one hundred and twenty-five families have as yet either entirely or partially assumed the garb and habits of civilization, and that the rest of these people are for the most part actuated by all the bitterness of savage hostility to the civilization process, the necessity of sufficient available force to protect the farmers is too apparent for further comment. As the attention of the department has been, by my predecessor and by myself, heretofore called to this subject, I will simply say that there is no available force now for this purpose, and that if such force is not provided the work of civilization must be greatly retarded if not abandoned.

The system of paying the Indians who are willing to work, for their labor in goods, meets my most hearty approval. Many indeed are the complaints raised against this system. There is a continual cry of "Why not pay them in money, as white people are paid?" The origin of this cry is too apparent to be doubted; and it need not be wondered at when we reflect that some \$15,000 or \$20,000 in goods are thus paid out in a year, and that the originators of this cry want to sell these goods on their own terms and get this money. Who can blame them? But when men professing to be friends of the Indians join in this cry, one is forced to the conclusion that they are either grievously mistaken or wilfully wrong.

By this process the Indians get their supplies here at the actual original cost—transportation added—and get also the proceeds of their labor; whereas if they were paid in money and forced to get their supplies from the traders, they would have to pay, in addition to cost and transportation, from twenty-five to one hundred and twenty-five per cent. profit. In short, by this process the Indians get, by actual estimate, nearly double the amount of the supplies that they would get if they were paid in money; and, what is better still, they have to do very nearly double as much work to get them, and hence the advantage to the Indian is nearly twofold all round. The only ones who need complain of this system are the agent and his employés, whose labor is also more than doubled.

I have gone into this subject somewhat at length, because interested parties and their retainers and dupes are continually trying to break up the system, by abusing the minds of the Indians and urging them to demand money payments. So transparent is the object, that the hostile "blanket Indian" sees it clearly, and uses it as a means to break up the civilization arrangement.

This plan has not yet been properly systematized; it needs improvement and simplification, and the attention of the department is called to it, as everything connected with this subject demands the highest consideration.

As much has been said about the education and civilization of the Indians, I shall devote some space to that subject, in doing which I shall, with some modification and additions, use the remarks made on this subject in my report for July, 1861.

The education of the Dakotas, as I understand it, means nothing more nor less than the civilization of the Dakotas. The two phrases are, for all practical purposes, synonymous, or are so closely linked together as to be inseparable. I would therefore educate the Dakotas to the full extent of that comprehensive term.

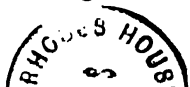
The first step in this direction is to get the mind and heart of the Dakotas turned away from the roving, idle, and improvident habits of savage life; induce them to cut loose from their bands or tribes, and get separate homes of their

own. This much accomplished, teach them to work at farming, the mechanic arts, gardening, stock and poultry raising, the way to make and to use soap, light bread, household and kitchen furniture, the tools, implements, utensils, clothing, comforts, and convenience of civilization, the way to acquire and save, always inculcating by precept and example, the folly and wickedness of improvidence and servile dependence, the besetting sins of this people, and the silliness of their feats of jugglery and sorcery as exhibited in their medicine and other dances and feasts. Teach and educate, in short, their heads, their hearts, and their hands, and thus, step by step, lay the foundation and create the necessity and desire for a literary education. Let there be schools; all the schools possible; but a place where orthography, reading, writing, and ciphering are taught to the children of roving, straggling Indians is not the school which these Indians want now. True, this is wanted, but there is more; besides schools, pupils of willing nature and desirous to learn, and who will appreciate the use of literature, are needed; parents who will send their children to school willingly—clothed, fed, and provided for at home—are also indispensable. Schools and teachers are wanted, but the first duty of the schools and teachers is to see to it that the right kind of parents are prepared; parents who have permanent homes and home comforts; industrious fathers, and tidy, neat, and cleanly mothers, instead of roving, lazy fathers and degraded mothers.

The teachers must be men and women who understand, in addition to the elements of a literary education, farming, the use of tools and implements, the trades, housekeeping, sewing, knitting, cutting of garments, political and domestic economy, in short, persons who know what a good, attractive home is, and who possess the will and the energy to make one. If we can get homes established as permanent institutions among the Indians, and the Indians to appreciate them, then we have the nurseries, the sources, the reservoirs of schools proper, and schools will follow as surely as the river flows from its sources.

At present, then, the paramount business of the Dakota school is to teach the Indian father and mother those things which they can and will learn—habits of home life, industry, and economy; for I am convinced that the attempt to impart a merely literary education to these Indians in their wild and roving state must generally prove futile. Entertaining these views, I have instructed the few teachers in the service accordingly; and as soon as possible I shall endeavor, with the indispensable aid of the intelligent and industrious superintendent of schools, to carry into practical operation the views above suggested, if they meet the approval of the department. This system carried out, it is thought will create the elements for schools in the future which will not be mere places to expend so much money and waste so much valuable time.

There are now several Indian families who, to a great extent, are prepared to furnish children for schools purely literary, and for them ample provisions must be made. As yet I am unable to report anything very favorable in regard to schools. I hope that in my next annual report it may be far otherwise. Since July 1, 1861, three schools have been maintained: one at Redwood, on the lower reservation; one at Red Irons village, on the upper reservation; and the manual labor school at this place, for both Upper and Lower Sioux. Upon a full examination of this latter school, Mr. Pierson, the superintendent of schools, recommended the discontinuance thereof. On examination I approved of his course and suspended the school. As conducted, the school was a great source of expense, without corresponding beneficial results. Whether this school shall be recognized or not, is a question for consideration. If the theory of the school could be carried into successful practice, I am of the opinion that such a school would be a good thing; but up to this time the school has, in my opinion, been a failure. The combination of labor, with the other branches, is very desirable, but the great trouble is the boarding and supplies. It was a "boarding school," and not only a boarding school but a boarding-house; all the Indians,



and some whites connected with the pupils claiming to eat there. I shall examine the subject carefully and make it the subject of a special communication at the earliest practicable day. In this connexion the attention of the department is directed to the report of the superintendent of schools herewith transmitted. The other schools mentioned will be continued.

Herewith I transmit reports from the teachers of these schools. A school will be opened at Lac qui Parle, about 1st of November, for the accommodation of the Indians in that region.

In this connexion you are referred to my report for July. Every effort will be made to use the money appropriated for the use of schools to the best advantage possible. There are among the Sioux three missionary schools—two on the upper and one on the lower reservation. The two former, under the charge of Rev. J. S. Williamson and Rev. S. R. Riggs, are sustained by the A. B. C. F. missions, and the latter by the Protestant Episcopal Church. The A. B. C. F. missions contemplate establishing another school at Redwood, among the Lower Sioux, under the charge of Rev. J. P. Williamson.

I herewith transmit reports of such of their schools as have complied with my request to report. These schools and their teachers are calculated to exercise a good influence, and should meet with all possible and proper encouragement. In my report for July I have suggested the propriety of aiding these schools. I renew the suggestion here.

During the next year a school must be established at Big Stone lake, with a farmer, blacksmith, and carpenter as teachers. There are over two thousand Indians settled around this lake, who hitherto have been almost entirely neglected. This should not be. These people complain that they have lived upon promises for the last ten years, and are really of opinion that white men never perform what they promise. Many of them, I doubt not, would go to work if they had any reasonable encouragement. I am of the opinion that, under the arrangements which I propose perfecting during the winter, we can send a farmer, blacksmith, and carpenter the next spring without increasing the number of employés now necessary. This arrangement will require a distribution rather than an increase of employés. The operations of this agency since the 1st of June have been somewhat limited for many apparent reasons, which I have mentioned in my monthly reports, but more especially for want of time and funds. I entered upon the duties of my office too late in the season to do much towards farming, and since then I have had the use of but \$6,000 of the agricultural and civilization funds, out of which I paid the employés for the quarter commencing April 1 and ending June 30, 1861.

The business of the agency has gone on, however, much better than I had reason to expect. The employés, for the most part, have been active and attentive to their duties, and the farmer Indians have accomplished a great deal, considering the discouragements under which they labored when I entered upon the duties of the agency, and to which I have referred in my monthly reports.

These farmers will have 11,500 bushels of corn, 19,000 bushels of potatoes, 225 bushels of beans, and a respectable quantity of vegetables. This is a rough estimate, as I have not, and cannot get the exact quantities, but it will not vary far from the truth. They have cut and secured 580 tons of hay, or an average of over 4½ tons to each farmer Indian. They have made considerable fence; have erected forty stables for their cows and oxen, and have erected, with the aid of the department carpenters, ten dwelling-houses and some twenty-five corn houses. Under all the circumstances these men have done well.

Up to this time nearly one hundred acres of land have been broken in fields of five and ten acres each, and ploughing is now in progress for next spring. Mr. Rider, the contractor, has made and is now burning a kiln of over 200,000 bricks. The hay contractors completed their contracts in good faith. Five new root-houses are in progress, and a good plain picket fence has been erected

around the agency buildings and garden, and nearly four thousand bushels of charcoal have been burned. A school-house, dwelling, and a blacksmith's house and shop have been erected at Lac qui Parle, and are nearly ready for occupation. A stone warehouse for the Lower Sioux is in progress, and will be completed very soon. It promises to be one of the most substantial buildings in this valley. It is 43 by 23 feet, 20 feet in height, with a good substantial cellar, 8 feet deep. The cellar walls are 3 feet, the first story wall 2 feet, and the second story walls 18 inches thick. This building was commenced from necessity and at the urgent request of the Lower Sioux, and will, when completed, afford a permanent and safe place to store the goods, provisions, grain, and general supplies of the Lower Sioux. A great portion of the labor and nearly all the hauling connected with this building has been and is being done by the farmer Indians. The Indians are now busily engaged in securing their crops and preparing for winter. The upper saw-mill has cut the whole stock of logs on hand, and will close in a few days. The grist or corn mills are being put in order to grind the corn, which will begin to come in in a few days. The carpenters have been kept very busy in repairing wagons, ploughs, and doing other work belonging to their department.

The blacksmiths have attended faithfully to their duties, and, in short, all the employes have rendered general satisfaction. In my report for July, and in several special communications, the wants of the Indians are presented in detail, and hence I shall not burden this report with a rehearsal of them. Some sixty several farms have been surveyed and designated by permanent landmarks on the lower end of the Lower Sioux reservation. These farms will be allotted to good farmer Indians in a short time, and the coming winter they will get the materials to erect houses, build fences, &c., in order to be ready to commence their regular farming operations in the spring. The surveyor is now engaged in making out a map of these surveys, and in a short time he will make his report, which will be made the subject of a special communication to the department at an early day. It is a source of great gratification to be able to state that the farmer Indians have deported themselves in a very exemplary manner. They are peaceable, inclined to work, and willing to learn, and manifest an ardent desire to become farmers indeed. They seem, moreover, to realize their want of knowledge and to deplore it, which renders them humble and docile. In my view, the existence of this frame of mind indicates greater results in the future than anything else. But the most gratifying communication of all is the fact that not one of these farmer Indians has used a drop of intoxicating liquor since my arrival here. Of the truth of this statement I entertain not a doubt. Many of them, as I learn from the Christian missionaries, are regular attendants upon the ministrations of the Gospel, and the desire to become Christians seems to be on the increase. I have used the most severe measures towards the whiskey sellers, whom I found prowling about the reservations, and have succeeded in making these villains exceedingly scarce this side of Lac qui Parle.

In the region of Big Stone lake these harpies come in the "back way" from Breckinridge, *via* Fort Abercrombie, and have succeeded in introducing considerable "fire water" among the Indians in this locality. On hearing of this state of affairs I made a requisition upon the commandant of the post at Fort Ridgely for a detachment of troops to catch these scamps. The commandant promptly responded, but the birds had flown. They have not returned since, and if they do, everything is ready to bag them. This infernal traffic I am determined to break up, and shall employ summary process to do it and take the consequences. Several complaints of Indian depredations on the frontier, in the region of Spirit lake and Sioux City, have been made at this office. Early in September, under the direction of the department of Indian affairs, I sent Mr. H. D. J. Koons, the United States interpreter of this department, to Sioux City, *via* Spirit lake, with instructions to inquire into these depredations and report.

the earliest day possible. He has returned, but has been too unwell to prepare his report. As soon as possible his report will be transmitted to the department. He obtained considerable valuable information, from which I am able to state that the Indians of this agency stole some twenty or thirty horses the past summer from citizens of Iowa and Minnesota. Very few Indians were directly engaged in this business. The more daring outlaws of different bands, pupils and connexions of Inkpadoota and White Lodge. I have succeeded in securing five of the stolen horses, and have learned the whereabouts of several of the others. Only one of the depredators has been arrested as yet. If I had a sufficient force at my command, these offenders and their aiders and abettors could be arrested and punished, and this band of outlaws broken up in a short time, and peace and good order established on the frontier. I am doing all in my power to this end, and again urge upon the department the necessity of a competent military force, to be stationed at the Yellow Medicine, to act when needed. The Yanktonais have visited this agency three times during the summer; never in force, however. In special communications, I have stated the facts connected with their visit to the department, and shall dismiss the subject by saying that I ~~bel~~ certain a treaty can be effected with these people if the trial is made in the right way. They want to make a treaty, and I recommend this subject to the early attention of the department.

The general health of the Indians has been good. A peculiar disease of the eye has prevailed to a great extent, especially among the Upper Sioux. Except in a very few cases, it has yielded readily to the remedies applied by the physicians.

As soon as the fall work is done I shall direct a census of the wealth of the Indians to be taken, and during the winter devote my attention to preparations for next spring and summer. It is hoped that by attention to my duties I can soon so familiarize myself with the work as to get everything to move in systematic order, and that in my next annual report I may be enabled to report a healthy progress.

Early in my term I received a communication from the department of Indian affairs requesting me to examine the laws regulating Indian affairs, and directing me to report what change and modifications, if any, were, in my opinion, necessary to render these laws more effective. In my opinion all former laws should be repealed, and a simple, uniform code for the regulation of Indian affairs adopted, retaining to as great an extent as possible the principles now in practice. Very full discretionary powers should be allowed to all the officers of the Indian department; and under this, explicit and consistent regulations should be prepared by commissioners of intelligence and experience in Indian affairs. The President of the United States should have the power, in case of necessity, to grant special civil, military, and judicial power to the superintendents, agents, and other persons employed in the Indian department. Both fine and imprisonment ought to be prescribed as a penalty for the violation of any of the laws of Indian code, for the reason that the mere imposition of fines proves futile in most cases, simply because few of the persons who violate the trade and intercourse laws have any property. Mixed bloods ought in no case to be recognized in any other light than as citizens of the United States—"white men." Offences committed by Indians should be specified, and the punishment prescribed by law, and a mode of trial arranged. If this were done, the Indians would soon learn that their Great Father punishes them, and not the agent. Much trouble results from the fact that now the agent has to take on his own shoulders the responsibility of punishing the Indians for crimes and misdemeanors; whereas, if it were understood beforehand that their Great Father punished them, the agent, who is compelled to live among them, would in a measure be relieved from much of the odium of inflicting punishment upon them. This course would, it is thought, go far towards teaching Indians the character, force, and

use of laws, and would, in short, be a step in the direction of civilization; for it is clear that as the Indian advances towards civilization he should be continually taught the use of laws. With these general suggestions, and one specific recommendation, I shall dismiss the subject for the present, promising that I shall keep it constantly in view, and from time to time communicate to the department the results of my investigations and experience.

The Indians in their present condition are governed more by their annuities and other funds which they receive from the government than anything else, and hence, on the laws regulating the disbursements of these funds, more depends than on all other funds besides. Hence, I recommend that all funds be paid, in the discretion of the agent, under the direction of the department, only to those Indians who work, and in compensation for industry and good deeds. Let it be distinctly asserted and adhered to by the government, that these funds can only be given as rewards for industry and economy, and the effect must prove most salutary. The present policy of paying indiscriminately the good and the bad, the industrious and the lazy, is all wrong, and immediate steps should be taken to abandon it at the earliest possible day. It is admitted that this change is radical, and will encounter determined opposition in various quarters, but it will, if adopted and carried into effect with vigor and discretion, soon break down all opposition. Among the other good results of this policy, the Indians will be forced to stay upon their reservation and at their plantings. Indian claims, real and trumped up, will be among the things that were. Habits of industry and economy will be inculcated by precept and example, and soon the Indians will be able to live upon the fruits of their own industry. It is hoped this subject will receive the early consideration of the department and of Congress.

Very respectfully, your obedient servant,

THOMAS J. GALBRAITH,
United States Agent.

CLARK W. THOMPSON,
Superintendent Indian Affairs, St. Paul, Minn.

No. 31.

YELLOW MEDICINE, *October 1, 1861.*

SIR: In compliance with your direction, I hereby respectfully report that I commenced work at the blacksmith shop of the Upper Sioux, on the 1st day of July, 1861. Since then there has been constant work for myself and the two assistants, E. A. Cramsie and Edward Cramsie. The principal work is repairing wagons, ploughs, horse-shoeing, and mending guns. This latter branch employs one man constantly, and sometimes requires the assistance of all.

Some new tools are needed, and a supply of iron and steel for the winter. I herewith transmit estimates for six months, from October 1, 1861. The iron and steel should be selected by some blacksmith.

Since the 1st of July up to this date, the work done has amounted to the sum of \$858 45, at reasonable rates, and there has been used 1,800 pounds of iron, 115 pounds of steel, and 475 bushels of charcoal.

A new anvil is needed at once.

Very respectfully, your obedient servant,

N. A. MILLER,
Blacksmith, Upper Sioux.

T. J. GALBRAITH, Esq.,
Sioux Agent.

No. 32.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 5, 1861.

SIR: I have the honor to herewith transmit a copy of a letter of 19th ult., from Superintendent Thompson, with accompanying papers from agent Galbraith, relative to troubles among the Sioux, and the necessity for some seven companies, of one hundred each, of troops, one of which should be cavalry, as a guard for the frontier. I would request that you bring the matter to the attention of the Department of War, with the earnest recommendation that one company of dragoons be furnished by the government, to be located at Yellow Medicine, the seat of the Sioux agency, which will involve no new expense to the government, as quarters are already in order at the agency, for their accommodation. One company of dragoons, it is believed by this office, would suffice, but this much it deems absolutely necessary under the present threatening circumstances.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

HON. C. B. SMITH,
Secretary of the Interior.

No. 33.

ODANAH, *October 21, 1861.*

SIR: We take pleasure in presenting you a recapitulation of the report for the past year of the Indian school in this place. We are laboring at present under very encouraging and favorable auspices. The general appearance of the school exhibits decided progress, and the increased number in attendance appears to indicate a growing desire and thirst for knowledge on the part of the Indians.

The whole number of children enrolled during the year, is eighty-three, and the average daily attendance has been thirty-four. The average attendance may appear small in comparison with the number enrolled, but it must be taken into consideration that, owing to the habits of the Indians, the children are necessarily absent from the place with their parents, on hunting and fishing excursions, and also in gathering wild fruit, bark, &c.

We have had from twenty to twenty-four children in the boarding-house for the past year, who have improved decidedly in their general appearance, and in the different branches of education in which they have received instruction. It is very evident that the boarding-house children are producing a salutary influence over the families to which they belong, and also over the children with whom they associate from day to day. They often invite and urge children whom they find in the streets to attend school, and seem very desirous to have them progress in their studies, and obtain a knowledge of the arts peculiar to the whites. In facility for acquiring knowledge, the Indians are not surpassed by the whites. It is indeed surprising to see how readily these wild, untutored children, who have scarcely seen a letter before entering school, will acquire a knowledge of the alphabet, and of the first principles of reading. Where they attend with regularity, we have known them in three months after entering school, to read intelligibly in the First Reader, and give the Ojibwa of nearly all the nouns in their lessons. They have a decided taste for writing, and it requires but a few month's practice for them to be able to write a fair hand. In mathematics they also excel; some have already finished arithmetic, and are commencing the study of algebra. All instructions are given in English, the

Ojibwa only being used as a medium of communication, when English is not understood.

We are maturing some new plans for the benefit of the school, which will, we trust, add efficiency to our modes of teaching, and from year to year we hope to be able to report continued progress.

Yours, &c.,

R. W. SPICER.

Gen. L. E. WEBB,
Indian Agent.

No. 34.

WINNEBAGO AGENCY, *September 16, 1861.*

SIR: Agreeably to the requirement of the department, I respectfully submit my annual report upon the condition of this agency.

Having had the charge of the Winnebagoes for only a few months, and never having had any experience among Indians previous to this period, I feel that any suggestions I might make as to the proper course to be pursued towards this poor and powerless people would not be accounted worthy much attention; and even if I had had a long experience with the savage tribes of this country, I could not hope to advance any new suggestions or policy, because every conceivable idea as to the proper policy to be pursued towards them has been long since suggested and canvassed over and over again by learned, humane, and experienced statesmen. Hence I shall content myself with merely informing the department as to the present condition and wants of the people under my charge.

As a general rule, the Winnebagoes are enjoying good health. Since my arrival there have been but few deaths among them from disease, but quite a number from casualties or assassinations, caused by the use of intoxicating liquors.

The greatest difficulty I have experienced connected with the management and protection of this people has been connected with their use of whiskey. No one has been engaged in the sale of liquors to them upon the reservation, but the business has been carried on just over the line, and all around the reservation, to an alarming extent. It is a lamentable fact that the number of people who pretend to be civilized, who have become so degraded as to sell whiskey poison, at high prices, to these poor savages as a regular and systematized business, are counted by the hundreds in this immediate vicinity. And this is not all. After they have dealt out these poisons to them until they are drunk, then they purchase from them everything they possess of this world's goods, even to their last blanket, or shirt, or agricultural implement, with more whiskey, or some worthless trifle. And still further, some of these sharp business men (among drunken Indians) strip the poor savages, when drunk, of his old clothes and rob them of their all, without even the pretence of a remuneration.

From what I have seen since my arrival here, I judge that more than one-third of all the money, horses, and goods, and some of the provisions which the government deals out to this tribe annually, goes eventually into the hands of these liquor traders for whiskey and tobacco; and as a sample of prices paid for these things, I will state that one quart of poor whiskey purchases a blanket worth three dollars at wholesale prices.

There are some circumstances connected with the location of this tribe which make it more difficult to protect them from the ravages of liquor-selling than any other tribe. They are closely surrounded by a numerous white population, and these people feel very indignant because the Indians are located in their midst, and are disposed to make it as uncomfortable for them to remain here as

they can, hoping that at some future time they may be able to cause their removal. Hence there is no sympathy for them, but, on the contrary, an unfriendly feeling towards them on the part of almost the entire population which surrounds them, which emboldens these whiskey-sellers to perpetrate gross acts of injustice upon these poor savages.

Again, there is not sufficient moral, temperance, and religious courage and sentiment in the people to put down this unholy traffic in their midst, even if they had the disposition. The few who have an apparent anxiety to have the traffic stopped seem to feel that they are not under any obligations to do anything for themselves towards the accomplishment of the desired end, but rely entirely upon the agent to perform the whole, when he has no more power outside of the limits of the reservation than any other individual.

I have confined many of the Indians in the jail for becoming intoxicated, but even this does not restrain them from drinking.

It has been intimated to me by some legal gentlemen that the laws of the United States are such now that an Indian can introduce liquors into an Indian country without being liable to the same punishment that a white man is. I know not how this may be. Judge Nelson sentenced an Indian to six months imprisonment for this offence within the past year. But if this was an error, and a proper construction of the law as it now is will allow an Indian to go unpunished for this offence, I would recommend that the laws be so amended that an Indian would be liable to punishment for this act. And I would also recommend the passage of a law which would make those who sell liquors to Indians outside the limits of the reservations liable to the same punishment as though they sold them upon the reservation.

I have dwelt thus long upon this subject hoping that I might be able to direct the attention of both the federal and State governments and the people in its immediate vicinity to this growing evil which, under the peculiar circumstances of these Indians, will prevent any progress towards their civilization, and, on the other hand, if allowed to grow, will result in the very worst condition of things imaginable.

In June last the Hon. James H. Baker, of Minnesota, Thomas J. Sample, of Indiana, and Edward Wolcott, of Illinois, arrived here as special commissioners to take a census of this tribe and assign to each head of a family eighty acres of land, and to each male person eighteen years of age and upwards, without a family, forty acres, upon the eastern half of the present reservation, in accordance with the provisions of the treaty of 1859. Immediately after their arrival there were manifestations of much dissatisfaction on the part of the Indians, the reasons for which were soon communicated to the commissioners in a council which they had with the chiefs. The chiefs informed them that the Indians had expected that their agent and superintendent would perform the services which they were commissioned to perform; that they were told when the treaty was made, and since then, by Major Mix, their former agent, that this would be the case; and that they were not willing to have them do the work, as the expenses the commissioners would have to be paid by the Indians, when the work could be performed more to their satisfaction by their agent and superintendent, who were already under salary to look after their interests. Of course, the commissioners took no notice of the opposition whatever, but immediately proceeded to perform their duty as they had been instructed by the department as far as they could do so under these unfortunate circumstances. After the expiration of a few days, the better-disposed portion—about one-half—became reconciled, and have since co-operated with the commissioners; but the other half, led on by Win-now-sheek, a deposed chief, and others who were opposed originally to the making of this treaty of 1859, have done all in their power to prevent the commissioners from performing their mission. Still, I have reason to believe that better counsels will prevail among the disaffected portion after a

little time for consultation and reflection, and that ultimately the whole nation will be more than willing to become participants in the benefits to be derived under the treaty.

The only hope I have that the condition of these Indians will ever be improved is in the application of the policy of allotting these lands severally, and locating them upon them, and thereby abolish the tenure in common, and their tribal ways, and direct their attention specifically to agriculture. Therefore I would earnestly recommend the immediate fulfilment on the part of the government of each and every stipulation of the treaty of 1859. It has been now about two and one-half years since this treaty was concluded, and the Indians have been told from one season to another that something would be done under it for their benefit, and as often disappointed, until even the best of them begin to doubt whether anything will be done which will benefit them. Those who have been opposed to the measure have been telling the others that the government was fooling them.

According to the provisions of this treaty, the government has agreed to comfortably establish these Indians upon their lands in severalty, by building them houses and furnishing them with agricultural implements, stock, animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances; but there is no fund to do this with until their lands are sold. Therefore I would especially urge the immediate sale of the lands devoted to sale by this treaty. The Indians who have their allotments made them are already clamoring for their certificates and to have their houses built and by next spring they will be urgent to have their lands surveyed, fenced and broken.

The steam saw-mill is lying idle and going to decay for the want of money to keep it in good repair and running, while a very large lot of logs at the mill and near it are also going to decay; also, a fine lot of wood at the mill is "growing small by degrees and beautifully less" from the depredations upon it by the Indians. I would also call the attention of the department to the fact that the buildings originally erected for the use of interpreters, physicians, miller, blacksmith, superintendents of the schools and farms, carpenters, the barns, &c., as dwellings or shops, &c., were nearly all built of logs, and are now very much decayed, and are really unfit for further use, and are also upon the quarter-section retained for the occupancy of the agency, but upon lands allotted to the Indians. New buildings ought to be constructed upon the agency lands for the use of the employes as soon as possible.

The whole amount of lands under cultivation upon the reservation this year was about 675 acres; 200 acres of which were ploughed by the department; 47 acres were ploughed or hoed, under the supervision of about seventy-five heads of Indian or half-breed families; about 112 acres were devoted to wheat; 49 acres to oats; 440 acres to corn; 22 acres to potatoes, and 40 acres to beans. The average yield to the acre would fall far short of that of lands cultivated by the race.

We have no resident physician upon the reservation, for the reason that the present salary is not sufficient to induce one to reside among us.

The employes have all done all they could, with the limited amount of materials and means they had to do with, for the benefit of the Indians.

For a detailed report of the affairs of the schools I will refer you to the accompanying report of the superintendent of schools, and I heartily endorse his recommendation.

Very respectfully, your obedient servant,

A. D. BALCOMBE,

Indian Agent.

C. W. THOMPSON, Esq.,

Superintendent of Indian Affairs, St. Paul, Minnesota.

No. 35.

DENVER, COLORADO TERRITORY,

June 19, 1861.

DEAR SIR: I have the honor to acknowledge the receipt of two communications of May 18 and May 29, the former enclosing a blank bond for superintendent, the latter containing certain instructions to be given to the Indians in relation to the surveys about to be commenced by Surveyor General Case.

These instructions have been given through Agent A. G. Boone, who reports the answer of the Indians satisfactory, and that no trouble whatever is likely to occur.

The bond I will fill up, and execute, and forward to the department.

Agent Lafayette Head, agent for the Mohnache Utahs, who resides at Conejos, village of Mexicans ceded to Colorado, and only seventeen miles south of Fort Farland, has reported to me here in person. I am satisfied that he is a most efficient and competent officer, a sincere republican and friend of the administration, and greatly respected by the Mexican population, whose language he speaks with fluency. If it is agreeable to the department to retain his services, every view of propriety and advantage to the public service will be, in my judgment, satisfactorily complied with. You will greatly oblige me by some assurance to this effect, if it shall be so resolved.

Agent A. G. Boone has received and stored at Fort Wise the goods forwarded to the Cheyennes and Arapahoes for the current season, which I have directed him to retain until the autumn, and deliver them at the setting in of cold weather, when the Indians become destitute and importunate.

It is most essential to the peace of this region that the confirmation of the existing treaty with these Indians be hastened, in order that they may be restricted in their reserve and withdrawn from contact with the white population, which latter is now scattered everywhere, and exposed in a thousand ways and places to the operation of capricious fears.

The Comanche and Kiowa Indians are within this Territory, and the same agency. They are in a delicate position. The preparations for a treaty with them were matured and presents sent for that purpose. Subsequently, war was declared against them by your predecessor, the presents withheld, and the tribes turned loose. They are greatly humbled and perpetually beg for peace. Allow me to advise a treaty with them as soon as possible, and that instructions to that effect be sent here.

The necessities of our country render necessary the establishment of a great road from Denver to Salt Lake City. This road crosses the Cordillera about 60 miles due west from Denver, and then traverses the northwest quarter of Colorado diagonally. Harvie M. Vaile has been assigned to this region. Availing myself of the departure of a well selected surveying party, conducted by E. L. Berthand, a most skilful civil engineer, and accompanied by the experienced guide, James Bridger, I have instructed Agent Vaile to accompany them; to visit Salt Lake City, and confer with the agency there; to ascertain the numbers, localities, &c., of the Indians living within this superintendency; and fit himself to organize his department and locate at Breckinridge, beyond the snowy Cordillera.

As this region, heretofore but little known, turns out to be very attractive and fertile in gold and rich lands, swarms of white men are daily rushing over the Cordillera and establishing themselves in isolated settlements. The number of Indians is large, and the duties of the agent will soon become arduous and incessant. So soon as Agent Vaile returns from his present tour of discovery and information, I will submit a report of what is necessary to be done to insure the threatened tranquillity of that quarter of the Territory.

In my report submitted in April last at Washington city, I urged the transfer to this superintendency of the agency filled by Kit Carson, and also of the agency for the half-breed band of Cheyennes and Arapahoes, who frequent the region between the Plattes, but who are attached to the agency of Major Twiss, at Laramie.

These bands of Indians constantly frequent the settled central region of Colorado, where they claim to have a right to remain permanently. They kill cattle, steal horses, and beg, and threaten the people. The troubles growing out of this are complicated by conflicting orders, and their dependence upon agencies too remote and disconnected with this to allow of prompt correspondence and harmony of discipline. This is understood by the Indians, and their cunning profits by it.

Have the kindness to act favorably upon my suggestions, and carry out the policy you expressed to me in our conversation at Washington city.

Since my arrival here (May 27) I have been incessantly occupied in perfecting my knowledge of this Territory and its people and Indians. This scrutiny has acquainted me with the most wonderful array of facts. The fertility of the soil, the metals, the climates, the scenery, are all of a *superlative* excellence. These all surpass my most extravagant expectations. The population, as you will see by the imperfect census enclosed, exceeds 30,000, nearly all able-bodied men. This is the equivalent of 130,000, where society is complete in its details.

This combination of labor, stimulated by the tonic atmosphere, health, and gold, has produced in two years the most marvellous results. Property in mills, towns, farms, and cattle, has accumulated to the amount of many millions. This is scattered and located everywhere, in the gorges of the mountains, upon the great roads, along the river bottoms, and on both flanks of the snowy Cordillera. The numerous bands of Indians roam over this whole area, and come in contact with the women, the children, the stock, and property of all descriptions. Innumerable temptations and opportunities for isolated attack, for theft and debauchery, everywhere occur.

To establish and maintain order, system, and police, over so large an area, and amidst such a variety of elements, is a delicate task.

To accomplish this I concentrate all my energies. With a frugal but effective assistance from the federal government I shall satisfactorily succeed.

The management of the Indian relations is of first and cardinal interest. These Indians forming twelve distinct bands, all subdivided into wandering villages, having horses, and unrestricted by treaties to any locality, dependent on the chase for existence, and hemmed in by roads and lines of settlements, are menaced by fears, which are the immediate prelude of despair and desperation.

Attention to economy dictates a systematic organization of this superintendency, efficient to secure the present and prospective police of the Indian, and tranquillity of his relations with the white man.

Denver City has a location at once adjacent to the mountain system and the great plains, accessible and focal to all the great roads, and upon the perpetual line of travel and commerce between the two oceans.

The Indians belonging to this superintendency, and who may be said to revolve around this city as round a centre, are the—

Comanches, Kiowas, and Sheyennes, of the Arkansas Smoky Hills and Republican rivers.

1. Arapahoes, one agency, (Boone, incumbent.)

Ogellallah Sioux, Half-breeds of Arapahoes, South Platte and Cache la Poudre rivers.

2. Sheyennes and Sioux, one sub-agency.

Apaches, of the Ratone Mountains and Rio del Norte.

3. Utahs, (Kit Carson, incumbent.)

Utahs (Mohuaches) of the Parc of San Louis, Eagle rivers, and San Juan Mountains.

4. Copotes and Navajoes, (F. Head, incumbent.)

Utahs of Grand and Green rivers, and Shoshones of the south, middle, and north Parcs, and country north and west of the Pass.

5. Snake Indians, one agency, (Vaile, incumbent.)

I estimate the aggregate number of these Indians to be 25,000; all of the class of "Buffalo Indians;" that is, perpetually emigrating, and subsisting exclusively upon the aboriginal game and stock.

A very complete experience among the "Buffalo Indians," running over twenty years, enables me to state that the United States law regulating intercourse with the Indian tribes is inapplicable to the great plains and mountains. Its enforcement, vigorously, leads *point-blanc* to expensive and bloody wars, to the destruction of property, to the massacre of the innocent and the escape of the guilty. The desirable end is to be obtained by the efficient organization of this superintendency; dealing from the centre directly with these surrounding tribes, through the agents acting in person and promptly, always present to anticipate and decide difficulties and enforce uniform and simple rules of discipline.

Economy especially recommends this organization. The existing loose character of the Indian relations here, combined with the absence of a military force, and the confusion incident to a divided authority and responsibility when the military is present, strongly commends it.

I ask, therefore, five Indian agents as above. Transportation for superintendent and agents to be held and accounted for by them. Interpreters, permanent and occasional. An annual appropriation of \$50,000 for the miscellaneous expenses of treaties, annuities, casual maintenance and feeding of Indians, &c. Specific treaties to fix the condition and duties of the Indians, and define accurately the rules and expenses of the agents.

If I can obtain a prompt and favorable action upon this recommendation, it will greatly accommodate myself and simplify my position and labors. Remember that I arrived here to assume the adjustment of much accumulated disorder, without the essential funds, agents, transportation, or authority to enforce energy and order.

Nevertheless, the splendid character of this Territory, and its population, its flattering future, and my firm intention that it shall deserve and receive the generous bounty of the administration, assure me that my representations will receive from you a prompt and liberal response.

Very respectfully,

WILLIAM GILPIN,

Governor and Superintendent of Indian Affairs, Colorado Territory.

Hon. WILLIAM P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 36.

DENVER, Colorado Territory, October 3, 1861.

SIR: After my departure hence, in June last, I went as instructed by you to Santa Fé and received from Superintendent J. L. Collins, the distributive share of goods allotted for the Tubuache Utahs of my agency. I transported them to my agency at Conjos and distributed them to the Indians. You will see by the invoices that the amount of goods is only one-fourth in quantity of what is necessary for the annual issues to the Indians. The aggregate number of these Indians has been underrated. There were present 5,000 (five thou-

sand,) eight thousand (8,000) is their full strength. They live in the Parc of San Luis. They frequent the Arkansas river from and above Cañon City, where that river issues from the great mountains. They extend their range of travel into the South Parc, and also to the Grande river, which flows into the Great Colorado. This country is the "gold region." It is filling up with energetic gold-hunters, who make it their permanent home. The wild game is exterminated, and all sources of subsistence for the Indian extinct. In the winter the Indian must be fed or die. These Indians are at war with the tribes of the great plains east of the mountains, also with the Navajos to the south and southwest of them. The Navajos are numerous and implacable warriors. They have slaughtered and plundered more Americans and Mexicans than all other Indians united. They have compelled the abandonment of the San Juan and Rio di las Animas gold mines, discovered and occupied during the last season by Mr. Charles Baker, whose party constructed a road from Abiquera and built a large town. Forty Americans and fifteen Mexicans were slaughtered upon the road, and their property taken by the Navajos. This San Juan country, in conjunction with its lucrative mines, is a superlative region for arable and pastoral farming, and abounds in rivers. If temporarily protected by a military post it will rapidly fill with population and protect itself. A strong military force is indispensable at Fort Garland—five companies of cavalry and two of infantry. These troops will protect the population of the Parc of San Luis and the Uta Indians from incursion and robbery by the hostile Indians all around, and restrict each tribe to its allotted locality. It would serve as a reserve force to go either into Colorado Territory or New Mexico in any sudden emergency. The present population (American and Mexican) in the Parc of San Luis is six thousand (6,000.) They are farmers, cultivating the soil and owning great herds of cattle, horses, and sheep; they are devotedly loyal to the United States government, and have offered to me any supplies which I may need, on credit, knowing that my agency is not supplied with cash, and that such supplies are indispensable to control the Indians. They have already supplied me on credit, as you will see by the accompanying vouchers, with Mexican blankets and with sheep. I recommend that I be instructed to purchase from them wheat, sheep, or beef cattle, necessary to feed the Indians during the coming winter. Transportation being indispensable to me in the performance of my official duties, I require a light ambulance and a pair of mules or horses.

Before closing this report, I submit a more minute description of the Parc of San Luis, in which my agency is established. It is one hundred miles long from north to south, and ninety wide; elliptical in form, and containing seven millions of acres. Every acre is level and fertile and capable of irrigation; the climate is propitious to every kind of crop and culture; the Rio Grande del Norte bisects it longitudinally and receives the rivers San Antonio, Conejos, Jara Gato-Unca, and Perdra Pentado from the west; the river lakes Costilla, Culebra, Tunchara, Utah, Nine Mile, and Saupe de Chresto from the east, and many other streams. It is begirt by the snowy mountains—by the Cordillera on the east, by the San Juan on the west; these mountains are covered with grass and filled with the precious metals. An unlimited population may reside within it. I report the aggregate number of Tubuache Indians at 8,000; they are Indios bravos, or savage Indians; no missionary or other priests have been among them; they have only their aboriginal superstitions for a religious creed. They are not inclined to intermarry with the Mexicans or Pueblo Indians; their women are virtuous and industrious; the men are indolent, but inclined to war and the chase; some few families are farmers, and have stock; this inclination is capable of cultivation, and the surrounding country and circumstances are singularly propitious to such an end if encouraged at Washington. This Parc of San Luis is embraced between latitude 37° and $38\frac{1}{2}^{\circ}$; is of 9,000 feet altitude above the sea; of delicious climate and fertility; accessible by easy passes through

the surrounding circle of prodigious mountains, but secluded and easily defended. It has every element to invite and retain the densest population.

Respectfully submitted.

LAFAYETTE HEAD,

Agent of Tubache Utahs.

His Excellency WILLIAM GILPIN.

No. 37.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,

Denver, October 8, 1861.

SIR: The close of the quarter ending September 30 in each year is the time when the fullest reports and statements of the condition of the Indian agencies is required.

The condition of the Indians of this superintendency is disturbed and restless; no actual war exists; the general war of the country—companies of malignant white men formed into atrocious guerilla parties, Cherokees and Texans in rebellion, tamper with and agitate the warriors. Perpetual vigilance has heretofore prevented war, and an uncertain quiet is prolonged from day to day.

Since the establishment of this superintendency, in February last, no accounts have been settled at the department, no money furnished, no salaries paid, no answers to reports and communications made. Expenses for interpreters, transportation and essential incidental expenses are in arrear, aggravating the troubles of transacting business in the wilderness.

Agent Boone is at Fort Wise, on the Arkansas. At the last extremity, to prevent the menaced outbreak of the Kiowa and Comanche tribes, he has made with them the preliminaries of a treaty (marked A) and distributed the remnant of supplies in hand for them.

He is now engaged in assembling the Cheyenne and Arapahoe tribes to receive their assent to the confirmation of their treaty and to plant them upon the reserve assigned to them. This exhausts the annuities on hand for them. His report, of the highest importance, will be made so soon as his present labors shall be finished.

I enclose the report and quarterly accounts of Agent Lafayette Head. Some supplies, distributed to the Utahs, he has received from Superintendent Collins, and some he has purchased on credit. He has applied to me to instruct him to purchase, similarly, other necessary supplies and transportation. This instruction I have given. There is no alternative or opportunity for hesitation in a desperate necessity. It is economy to anticipate and prevent plunder and war. The loyalty of the Mexican population wavers when their protection is left in doubt by our government.

I submitted in July a report on the organization of this superintendency. I have since forwarded a copy, renewing the pressing necessity of its adoption, which I now again reiterate.

I regret that the contemplated visit of the Commissioner to this superintendency has been for any reason abandoned. It is essential that the prompt and minute attention of the government be immediately given to its condition. This grows equally out of the condition and number of the Indians, and the attitude of the white population in relation to them. They are intermingled in nearly equal numbers, and all heretofore without any legalized forms of law or police. The rebel element is very numerous, recently organized and active. The mails and lines of travel and transportation are in the control of confederates with them, who handle in advance or intercept all correspondence and delay special messengers. Plots and treason are hatched and sprung before they can be known or preparation made to meet them. This is aggravated by agitation among our

own friends, growing out of the severe want pervading a new society in the wilderness, and the prolonged silence of the government. I believe it to be the determination and policy of the administration, in the Indian department, to anticipate and prevent the recurrence of such bloody struggles with savages as chequer the early history of our country. Positive information is in my possession that the Cherokee Indians, led by rebels in this Territory, are engaged in inciting the Indians of the agency to join them in sweeping it clear to the mountains. The means to control them under this temptation or to resist their onslaught, ought to be promptly furnished. I ought at least to have such authority as will enable me to procure supplies and transportation, needed in a desperate emergency, by purchase here.

It has been seen in the newspapers that Agent Boone has been removed, and S. G. Colley appointed to succeed him. No official confirmation or otherwise has been received of this during two months of suspense. In a time of war-fever every trifle is magnified and intensifies agitation. Mr. Colley has been promptly present to assume the duties of his position. Agent Boone has been ready to retire, and the uncertainty growing out of suspended official authority threatens calamity. It is necessary to inform the department that the powerful company (the Overland Express Company) is exclusively filled with rebel agents, and that all correspondence with this Territory by mail and telegraph has been handled by the enemy, and, when important, has been intercepted and suppressed. This doubly magnifies the danger and embarrassment of our affairs. No correspondence reaches its proper destination, unless confided to a special and trusty courier.

The reports and accounts of Assistant Agent Vaile are not ready. He has returned from Utah, and his papers will be forwarded so soon as ready.

Such is the delicate character of the existing Indian relations here. So easily might an overwhelming outbreak sweep this Territory by reason of the occurrence of any one of a thousand accidents, that I specially request of you to submit our condition to the President and Secretary of War.

It requires the assistance of the military arm of the government and extraordinary and prompt action. Upon this rests the side upon which these Indians will fall in the war.

Receive with favor S. S. Curtis, son of General Curtis, U. S. A., my special messenger, and charged specially to see you.

Very respectfully,

WILLIAM GILPIN,
Governor of Colorado.

Hon. WM. P. DOLE,
Commissioner of Indian Affairs, Washington, D. C.

No. 38.

FORT WISE, COLORADO TERRITORY,
October 19, 1861.

SIR: A few days since a party of eight Texan Comanches came to this post bearing a United States flag, and asking to be received into this agency and a country assigned them. It is very evident that the Texans have been tampering with them, but they seemed devoted to the Union, and after repeated counsels with them, I became satisfied of their determination to be at peace with the United States government, and promised to make known their request to you, and, if possible, obtain an answer in thirty days, during which time they are to act as spies, and report to the commanding officer of this fort should the Texans be discovered this side of the Cimarron.

I would suggest that a treaty be made with them after a sufficient trial of

their friendship, and that an annuity be set apart for them, if found worthy. They are the most numerous tribe on the frontier, and more danger to be apprehended from them should not some step be taken at an early day to secure their friendship.

I would, therefore, suggest, that if they remained faithful and devoted to the Union, that next spring, say the month of April, be named for the treaty, and that you will instruct me what to say to them on their return after thirty days.

Respectfully, your obedient servant,

A. G. BOONE,

U. S. Indian Agent, Upper Arkansas.

CHARLES E. MIX, Esq.,

Acting Commissioner of Indian Affairs, Washington City..

HEADQUARTERS, *Fort Wise, C. T., October 19, 1861.*

SIR: I fully concur in the above recommendations, and hope that they may meet with your approbation and attention as soon as possible.

Very respectfully, your most obedient servant,

ELMER OTIS,

Captain of Fourth Artillery, Commanding Post.

CHARLES E. MIX, Esq.,

Commissioner of Indian Affairs, Washington City, D. C.

No. 39.

FORT WISE, *C. T., October 26, 1861.*

SIR: I have the honor to transmit herewith a treaty entered into between Albert Pike, styling himself "commissioner of the Confederate States to the Indian nations and tribes west of Arkansas," and Bis-te-va-na, the principal chief of the Ya-pa-rih-ca, a band of the Ne-um or Comanches and others.

I obtained this in council, and they were much astonished when I informed them that they had made treaty with the enemies of our government, and their great father at Washington. They were willing that I should forward it to Washington to be there destroyed, or used as their great father should see fit.

The Comanches are now at this post in large numbers, and are very anxious to make treaty and enter in this agency. They number between 500 to 600 lodges, and I cannot impress it too strongly upon the department the *importance* of *immediate* action in their case, especially as I have promised that they shall hear from their great father at Washington within thirty days from this date.

Inform me at once, if you please, what promises I shall make to them in regard to presents and annuities, with full instructions how to act. From their great numbers and daring more trouble is to be apprehended from them than all the other tribes on the frontier; in this opinion I am confirmed by all the officers of this post.

I have already written to the department in regard to another band of the Comanches, and am anxiously awaiting your orders.

I have the pleasure to inform you that the Arapahoes have signed the amendment to the treaty made with them on February last, and are well satisfied.

The Cheyennes are now returning from their hunt, and as soon as they are all in I will assemble them in council and get their signatures also, and immediately return it to the department.

In counselling with them I strive to impress upon them the necessity of their conforming in all particulars to the treaty which they have made, and thus far with success, and would most respectfully suggest to the department the great importance of the treaty being faithfully carried out by both parties in all its particulars.

I am, respectfully, your obedient servant,

A. G. BOONE,

United States Indian Agent, Upper Arkansas

Hon. WM. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

LETTERS OF SAFEGUARD.

The Confederate States of America to all their officers, civil and military, and to all other persons to whom these presents shall come :

The bearer of this is Bis-te-va-na, the principal chief of the Ya-pa-rih-ca band of the Ne-um, or Comanches of the Prairie, and those who accompany him, and the headmen of that band ; all of whom have this day concluded and signed, on behalf of the whole Ya-pa-rih-ca band, articles of a convention of peace and friendship between that band and other bands of the Ne-um with us, and have thereby agreed to settle and live upon reserves in the country between Red river and the Canadian, leased by us from the Choctaws and Chickasaws ; and the said chief has also agreed to visit the other bands of the Ne-um, not parties to the same convention, and now on the Staked Plain and elsewhere, and persuade them also to settle upon reserves in the same country. We have accordingly taken the said chief, and the said headmen, and all other persons, of both sexes, and all ages, of the said Ya-pa-rih-ca band, from this day forward, under our protection, until they shall, for just cause, forfeit the same, and that forfeiture be declared by us : and we have therefore granted and do grant to them and to each of them these our letters of safeguard, for their protection, and to avail each and all of them as far as our authority and jurisdiction extends. You are, therefore, hereby charged to respect these letters, and to give all the said persons protection and safe conduct; and any infraction by any of you of this safeguard will be visited by us with all the penalties due to those who violate the public faith and dishonor the confederacy.

In testimony whereof, Albert Pike, commissioner of the Confederate [SEAL.] States to all the Indian nations and tribes west of those States, doth hereunto set his hand and affix the seal of his arms.

Done and granted at the agency of the Confederate States for the Comanches, Wichitas, and other bands of Indians near the False Washita river, in the leased country aforesaid, this twelfth day of August, in the year of our Lord one thousand eight hundred and sixty-one.

ALBERT PIKE,

*Commissioner of the Confederate States to the
Indian nations and tribes west of Arkansas.*

Countersigned :

WM. QUESENBURY,

Secretary to the Commissioner.

No. 40.

CARSON CITY,
Nevada Territory, August 14, 1861.

SIR: I had the honor, on the 19th day of July last, to submit to the Indian department a partial report of the condition of Indian affairs in this Territory; likewise some suggestions in regard to the policy thought best to be pursued towards the several tribes. In that communication I informed the department that I should soon go among the Indians and distribute such presents as had arrived. On the 29th day of July I started, in company with Mr. Wasson and the other employés in that department, for the two reservations, one on the Walker river, and the other on the Truckee river, a few miles above the Pyramid lake. When I reached Fort Churchill, Colonel Blake, commanding said fortress, kindly tendered me an escort of dragoons to accompany us to the Walker River reservation, under the command of Captain Moore, quartermaster of the post.

On the morning of the 30th we left the fort and proceeded to Walker river, distant 35 miles from Fort Churchill, and arrived at our destination about 9 o'clock the same evening. We encamped for the night, and the next day held a talk with the Indians, through their captains, or chiefs, twelve in number.

The head chief, or captain, Oderkerno, held the talk, which was in substance as follows:

I told them that the great captain, the President of the United States, had sent me to hold a talk with them; to which he replied that he was glad the President had sent me to hold a talk with them. I told him that a government had been formed over this Territory, to govern by the same laws the white settlers and the Indians. He replied that he was pleased with such government.

I informed him that the white man would not be allowed to do any harm to the Indians, or the Indians to the white man, and that either would be punished that did any wrong, and punished alike for the same offence.

I told them that there would be an agent located among them, and they must inform him of any depredations committed upon their rights, and he would inform me, and that I would see it righted.

I further inquired of them if they desired to have schools established among them, and their children taught to read and write, and, if teachers were sent, whether they would treat them kindly, and protect them; and asked whether they would like to have missionaries stationed in their midst, to give them religious instruction; and whether they would like to raise horses, cattle, and sheep; and whether they would take care of them if the government would give them some, and obey the instructions of the local agent about the manner of taking care and rearing them; and whether they would like to have farming tools and utensils furnished them, and, if they were, would they work, and work as the local agent should direct. To all of which propositions they assented, and seemed to do so cheerfully and gladly, and expressed a desire to make the effort.

The Walker River reservation is quite large, stretching along the river on both sides, including the sink of the river or lake, in which the river is lost, and including much good grass land, and quite considerable tillable land, and well cultivated would furnish, together with the beef and mutton produced from the stock suggested, sufficient for their support, with the addition, for a year or two, of some coarse clothing. In addition to the chiefs or captains present, there were about six hundred of the tribe—men, women, and children. This reservation is held and occupied by a portion of the Pah-Ute tribe. After the talk, and the most satisfactory promises on the part of the chiefs present to live in peace with the whites, both resident and those emigrating into and through the Terri

tory, we gave to the chiefs or captains the presents intended for that reservation, including three beef cattle, and left them with the most cordial feeling.

The next day we all returned to Fort Churchill, spent the night at the fort, and proceeded the next morning to the reservation on the Truckee river, including Pyramid lake, on which trip Colonel Blake, with another escort of cavalry or dragoons, accompanied us.

The place of our destination from Fort Churchill was about forty miles to Camp Stony, there being no place on the route to camp, owing to an entire absence of water and grass for our animals. We had to make the trip in a day, or without stopping, save at Williams's Station, nine miles from the fort. We reached our camping ground about twelve o'clock at night. The Indians had not reached there when we arrived, but the next day began to come in, and in the course of the day most all came in that we desired to see, save the most important chief or captain in the Pah-Ute tribe, viz: Wunamucka. We delayed the talk a day at that place waiting for him. On his failing to appear the next day, and knowing that he had had notice to come, I concluded to hold a talk with those present.

There were present five chiefs of the different bands of the tribe, and about five hundred men, women, and children. I held substantially the same talk with these that I did with those of the other reservation, and received substantially the same replies. This is the best of the two reservations, and could be more profitably cultivated and farmed than the other; and I think the Indians of this reservation more intelligent and a better class of people than those on the Walker river. To the chiefs present we delivered the presents for this reservation, together with two beef cattle, reserving a portion for the head war chief, Wunamucka, if he should come in. Both chiefs and people seemed well pleased and satisfied. The next day a portion of the party, together with an escort, went twelve miles from the camp to Pyramid lake, to examine the reservation and see that the whites were not trespassing upon it. This part of the distance had to be made on the backs of our animals, as there is no wagon road.

We spent the night on the shore of the lake, and returned to our camp the next day, where Colonel Blake had remained with a portion of his command.

On our return we found Wunamucka had arrived from Honey lake, where he had been temporarily residing in pursuit of game, fish, &c.

I held a long talk with him in the presence of the chiefs, with whom I had held the former talk on this reservation. I repeated, in substance, what I had told them in his absence; told him what I had given them, and what they said in reply. He gave a most unqualified assent to all that had been said and done, and fully acquiesced in the same. I found him a most intelligent and appreciative man; one who reasons well and talks like a prudent, reflective leader.

With him I entered into a more minute and detailed conversation than with any of the others, and explained more particularly the fact of an existing government, its nature, and power; the necessity of both whites and Indians obeying the law, and the protection that it would afford to both if obeyed.

I likewise explained to him the object of the overland stage route and the telegraph; that they were for the use of the government, and the President, or great chief, required them for the purpose of protecting the Indians as well as the whites, and that they were both necessary for that purpose; that they were the means of communicating with me, their captain, to instruct me what to do for their comfort and good; all of which he seemed to understand, and said he would tell all his people not, in any way, to interfere with either; and further, if any one interfered with either he would let me know it.

On the upper end of this reservation I found two ranches and five white settlers. I here instructed the agent to warn them off, which he has done.

I understand they have promised to go as soon as they can secure the crops growing on their several ranches. Aside from this, I found no trespassers on either

of the reservations. On my return I assembled the Washoe tribe in the vicinity of this place, and held a talk with them; found them peaceably inclined, and distributed some flour and other articles among them through their chiefs or captains.

From this tribe I apprehend no difficulty, as they are as poor and degraded a set of mortals as I ever saw. As I remarked in my former communication, they need nothing so much as protection, food, and clothing. Since I have seen these reservations and the Indians, I am convinced that the suggestions I made in my first communication to you, in relation to supplying the Pah-Utes with cows and sheep, to supply them with meat and clothing, were entirely correct. I have no doubt that, with the addition of some ox teams and farming implements, in the space of five years they will cease to need any further aid from government if their reservations are preserved to them. My reasons for this opinion are these, viz: that by the selection of proper resident employes, the younger portion of the tribe can be educated sufficiently to conduct the affairs on the reservations intelligently, and, to a considerable extent, successfully. I propose that these local employes shall teach the young of the tribe how to read and write and farm; to teach them how to rear cattle and sheep; how to spin and weave; how to preserve meats and grains, &c. This result is made probable from the natural industrious habits of the tribe. Many of them are employed by the whites in the various pursuits of the country, and especially in ranching and herding cattle.

I make these suggestions, and hereafter shall submit an estimate of the number and cost of the cattle, sheep, &c., thus early, so that I can learn from the department its view of the propriety at as early a day as possible, that, in the event they are disapproved, some other may be adopted in time to preserve peace with them, and insure the now existing confidence which is necessary to that end.

The Washoe tribe have no reservation, or rather none on which they can reside. I understand that the Pyramid lake reservation was set off and intended for both the Pah-Utes and the Washoes.

That idea is entirely impracticable. They are not friendly and cannot live together, and it would result in trouble and incessant broil.

The Washoes roam over the valley of the Carson and Washoe, not interfering to any considerable extent with any of the pursuits of the whites, and subsist on such productions and insects as are of no value to the whites. This agency, as established, only included, as I have been informed, the tribes of the Pah-Utes and Washoes. It is now claimed that a large portion of the tribes of the Shoshones and Bannacks are within the jurisdiction of this Territory. I have been unable to ascertain where the eastern boundary of the Territory is, any further than the organic law indicates.

The surveyor general has received no instructions to ascertain any of the boundary lines. Whether if the tribes last named are within this Territory, and if so, whether they fall within the scope of my superintendency, is a point upon which I desire instruction from the department. On the receipt of a communication from the Acting Commissioner of Indian Affairs, (Mr. Mix,) dated June 1, 1861, making certain inquiries, I sent to the acting agent, Mr. Wasson, one copy of the same, and requested him to answer as early as possible, which he says, in a communication in reply, he will do.

In obedience to the request of the circular, I will transmit to the department, separately, the information desired as to employes, &c. The reply to the other circular, as to numbers, &c., I enclose separately, as directed, by mail with this.

I cannot too strongly urge upon the department the necessity of schools on these reservations. The advantages to the government, resulting from their successful establishment, are too apparent to need enumeration in this communication.

From what information I have been able to gather, I am of the opinion that the Indians have been promised too much, and led to expect more from the gov-

ernment than it would be possible to perform. I have, therefore, adopted the policy to promise nothing to them, but to recommend to the department my views, and leave it to determine what shall be done with and for them. It is rumored that the government is about to send 1,500 volunteer soldiers upon the line of the overland route and telegraph, for the purpose of protecting them from Indian depredations. I am quite apprehensive that such a force scattered along these lines will produce just what it is intended to avoid. The discipline of such a force is necessarily imperfect, their presence will attract large numbers of Indians to the several posts established, and differences and disputes will inevitably ensue. Some provoking language or action will be very likely to result from their intercourse, and the most embittered feeling will be engendered, which will culminate in a fight. If so, it will require a soldier to every telegraph post, and a company of soldiers at each stage station through the entire Indian country to preserve peace. I sincerely hope that none will be stationed in this Territory: and I will venture the assertion that neither the lines will be embarrassed nor endangered within its boundaries, if the government pursues the peaceful policy which I flatter myself is now fully inaugurated. For the purpose of enabling the department to judge of the necessities of the several tribes within this jurisdiction, and acting upon the assumption that only the Pah-Utes and Washoes are within it, I submit the report and estimate of the acting agent, Mr. Wasson, who seems to understand much better than any one else here their wants, customs, and habits, and a person who appears to have great control over them, and enjoys their entire confidence. I entertain no doubt that the estimate is as low as the circumstances will justify. I submit the estimate and report as a part of my communication.

Very respectfully, your obedient servant,

JAMES W. NYE.

HON. CALEB B. SMITH,

Secretary of the Interior, Washington City, D. C.

No. 41.

OFFICE OF INDIAN AGENT,

Carson Valley Agency, August 13, 1861.

SIR: I have the honor to submit the following report in reply to the letter under date June 21, 1861, addressed to you by Charles E. Mix, esq., Acting Commissioner of Indian Affairs, and by you transmitted to me July 13:

First. There are but two tribes within the limits of this agency, viz: the Pah-Utes and the Washoes.

Secondly. The Pah-Utes number 7,000 souls; 3,600 of whom are females and 3,400 males. The Washoes number 550; the sexes are about equal, if any thing the women predominate.

Thirdly. The wealth of the Pah-Utes consists of about twelve hundred ponies, worth forty dollars each. The Washoes have no property of any kind.

Fourthly. They have no schools.

Fifthly. No missionaries or religious societies within the limits of this agency.

Very respectfully, your obedient servant,

WARREN WASSON,

Acting Indian Agent, Carson Valley Agency.

His Excellency JAMES W. NYE,

Governor and ex officio Superintendent of Indian Affairs,

Carson City, Nevada Territory.

No. 41½.

CARSON CITY, *Nevada Territory*, July 19, 1861.

SIR: On my arrival in the Territory of Nevada, and immediately after issuing my proclamation declaring the territorial government organized, I had an interview with Mr. Wasson, the person left in charge of Indian affairs by Frederick Dodge, esq., late United States agent for the Indians of Utah Territory, at which interview I requested him to furnish me in writing the condition of the several tribes now in the Territory of Nevada.

On the 13th of July, instant, he furnished me with a report herewith enclosed, since which time he has informed me that the report is incorrect in some particulars, the most important of which is that a large proportion of the Shoshones are in this Territory. If so, it will increase the hazard of peace very much. They have already shown hostility to the construction of the telegraph, and to such an extent that I have sent a person entirely familiar with their language and habits to endeavor to keep them quiet until I can go among them myself, and learn minutely what is necessary to do.

The overland mail is carried through the region of country occupied by that tribe.

I deem it of the utmost importance that friendly relations should be maintained with all the tribes along the line of the telegraph, overland mail, and pony express, as they are now the only modes of communication with the States and the home government. I assume that the government so regard it, and shall exert myself to the utmost to secure so desirable and necessary an object.

The Pah-Utes, since my arrival, and since the report of Mr. Wasson to me, are exhibiting a somewhat hostile spirit towards the overland mail company, for the reason, as they claim, that they are cutting hay upon their reservations, which the company, or their agents here, disclaim. I deemed it prudent to send Mr. Wasson and Mr. Burch to their reservation to ascertain the truth, and notified the agent of the company, if that was the fact, that they must desist, unless they purchased the hay of the Indians, at prices satisfactory to the Indians.

They are a jealous, suspicious people, and need more the protecting hand of care than so many half-grown children.

The latter tribe, as well as the Shoshones, are warlike tribes, and able, from the peculiar section and region they occupy, to make great trouble if once excited to arms.

I shall go among the Pah-Utes and Shoshones next week, and distribute such of the presents as have arrived, in such manner as will be best calculated to allay all feeling, and if possible keep them quiet.

As it regards the Washoe tribes, I see no other resource than to aid them with provisions through the winter. They are a most miserable people—in fact, in in point of intelligence or instinct, but one remove from the brutes. They have learned that the great chief or captain at Washington, through the lesser captain here, must feed them, or help to do so at least. There is great justice in this request. The streams in which they formerly fished are now all spoiled for that purpose by the operations of the miners and the washing of the ores and metals. They are indeed most all diverted from their original courses, or dammed so frequently that the fish have disappeared from them.

Lake Bigler, lying in the country of the Washoes, and from which they formerly obtained large quantities of the best kind of fish, is now taken possession of by the whites, and has become a watering place, to which large numbers from this Territory and California resort, and from which this poor tribe are virtually excluded.

The hills and plains over which roamed plenty of game are now occupied by the whites, and the game has fled like the Indians from their presence. Their

chief food in the short summer which we have is a large bug or cricket and a weed called tulé, which disappears when snow or frost appears.

To me, their condition is pitiful in the extreme, and such as to call upon the government for succor and relief. What I have said in relation to the Washoes will be true of the Pah-Utes very soon, as the mining interests are fast extending into their region. From what I learn, I have little doubt that the reservations are among the richest of the mining portions of the country. In order to secure permanent peace with these several tribes, I am quite satisfied that some definite line of policy must be pursued. Several have been suggested, but the one most advantageous to the government and to the Indians, as it appears to me, is this: They are by nature herdsmen, and well adapted to that pursuit, and learn with great facility to perform all the necessary care to the successful breeding of cattle, which must form the great staple of their living and support.

I would recommend that the government furnish for them a quantity of cows, and the agent can instruct them in a short time so as to enable them to raise all the beef they will require. Most of the Pah-Utes are good mowers, and are acquainted with the curing of the wild grass that grows on the reservation, and sufficient grows to keep their cattle through the winter, if properly secured. I would also recommend that government furnish them with some brood mares, so that they can grow their own horses of a better quality than the miserable ones they now have.

I also recommend that they be furnished with some agricultural implements, in the use of which the local agent can instruct them. I have not the fullest confidence in the success of the effort, for the reason that the season is so short that the best kind of culture can produce but few products, and those of an inferior quality.

The chiefs seem anxious to make the experiment, and I think it well to gratify them. If the government think well of the foregoing suggestions, all else they will require is an annual supply of flour and some cheap clothing, which should be made with reference to the climate and their employment.

I find the department in debt, and the credit of the government at a discount, which fact makes it necessary that the superintendent should have some money, in the absence of any authorized agent, to meet the present and pressing future wants of this department.

I have expended the money I received in the purchase of such articles as will best meet their immediate wants, for which I will account in detail the moment the goods all arrive, and the bills for the same. I sent home for new bills of the articles purchased, which were left with my baggage in New York.

The Commissioner of Indian Affairs informed me that in the month of July he would let me have five thousand dollars (\$5,000) from some appropriation, from which he advanced to me the like sum to make purchases of presents before I left.

The price of freight over the mountains from California, by Wells, Fargo & Co.'s Express, is about thirty cents per pound, and the freight from New York is about two dollars per foot to San Francisco.

With the experience I now have I can get freight much cheaper from San Francisco to this place. I shall draw to-morrow, through Wells, Fargo & Co.'s Express, for five thousand dollars, (\$5,000,) which sum I hope, with what articles I have, will be sufficient to satisfy what is absolutely necessary, except the payment of the salaries to employés, till the meeting of Congress, and further appropriations are made.

From the best information I can obtain, I think the number of Indians in this Territory is not far from ten thousand.

I hope, if I can succeed in taking care of them from May until March for one dollar per head, it will be satisfactory to the department.

Mr. Wasson placed in my hands a communication from Mr. Charles E. Mx.

Acting Commissioner, dated June 1, 1861, directed to Mr. Dodge, asking suggestions, &c., and requested me to say that Mr. Dodge is not in the Territory, and has not been since the organization of the Territory.

I have the honor to subscribe myself your obedient servant,

JAMES W. NYE,

Gov. of Nevada Territory, ex officio Superintendent Indian Affairs.

Hon. CALEB B. SMITH,

Secretary of the Interior, Washington, D. C.

CARSON VALLEY, INDIAN AGENCY,
Nevada Territory, July 13, 1861.

SIR: In compliance with your request, I have the honor to submit a brief report of the affairs of this agency; and as you requested me also to make such suggestions as might occur to me as to the proper course to be pursued towards the tribes within the limits of the agency, you will find those suggestions embodied in this report.

Two reservations have been made by the department of lands for the use of the Indians within the agency: one is situated on the Truckee river, including Pyramid lake; the other is on Walker river, including the lake of the same. At the latter place the department has caused to be constructed the necessary buildings for the use of the agency, including a farm-house, 14 by 28 feet in size, divided into three rooms, used for an office, kitchen, and storeroom, and a stable of adobes, 14 by 30 feet. I would suggest the propriety of erecting the necessary buildings upon the Truckee reservation, and the placing of a local agent there before next spring.

I trust you will perceive the importance of continuing these reservations, so necessary to the subsistence of the Indians. They are the natural homes of the Indians, and abound in fish and game, roots and seeds, their customary food, and are in fact the only places in the Territory where they could subsist, without an immense expense to the government. The two reservations do not contain more than ten thousand acres of arable land. They are isolated from any other portion of the Territory fit for the habitation of man, and therefore better than any other place adapted to the uses and homes of the Indians.

There are but two tribes of Indians within the limits of this agency, namely, the Pah-Utes and the Washoes. The Pah-Ute tribe numbers about six thousand souls, and are now increasing; the sexes being about equally divided. They occupy a strip of country about two hundred miles in width, extending along the western boundary of the Territory from the northern to the southern line. They are the most virtuous, temperate, and warlike of the two tribes, and, of all the Indians I am acquainted with, the most susceptible of acquiring the arts of civilized life. I would respectfully make the following suggestions, with a view to the improvement of their condition:

First. That they be furnished with a few agricultural implements and seeds, such as are adapted to the soil, as early as next spring, as many of them have been engaged in the ranches of the settlers, and understand the cultivation of the soil. It would only require a local agent to superintend the work to insure a handsome return for their labors.

Second. In order to teach them our language and habits, it is necessary either to establish schools among them or to procure situations for as many of the children of both sexes as possible in respectable white families, to be subject at the same time to the supervision and control of the officers of the agency.

Applications have frequently been made to me by respectable persons for Pah-Ute children to adopt in their families, and I think a number of good situa-

tions could be obtained. The property of the tribe consists of a few ponies of little value.

It affords me great pleasure to inform you that the Pah-Utes, since the unfortunate difficulties with them more than a year ago, have behaved themselves with the utmost propriety till about the middle of April last, submitting to the grossest outrages upon them, committed by villainous whites, having their men shot and their horses stolen on several occasions without offering to resent the outrages themselves. About that time they assembled in council at the reservation of Walker river to the number of about three thousand. A portion of the most warlike from the interior, numbering perhaps two or three hundred, influenced by white enemies to the peace and harmony of the country, were disposed to create disturbances, drove off the interpreter, and otherwise behaved very badly. I succeeded, however, in quieting them, and they are now dispersed over the country, engaged in their usual occupations, hunting and gathering seeds, &c., for winter.

Their country is peculiarly adapted to grazing purposes, and I think that a start and some encouragement in the raising of cattle, horses, and sheep, would in time prove highly beneficial.

It is almost absolutely necessary, in order to preserve their good will, that some more presents from the government be issued to them before long, and I would suggest that a few ornaments to please their fancy be selected with other articles of more utility; and the superintendent should be provided with ample means to assist them in case of severe winter, an occurrence by no means unusual here, of which we can have no previous warning. A neglect of this might prove disastrous to the Indians, and create disturbances between them and the whites, the necessities of the Indians being in such times likely to force them to commit depredations upon the stock of the settlers.

In issuing presents, I think that a proper distinction should be made between those who have acted in obedience to the instructions of the agent and those who have not.

I have also to suggest that the agent be provided with a medicine chest, containing such simple remedies as their diseases require. I have heretofore been in the habit of furnishing them medicines at my own expense, and my prescriptions having been attended with great success among them they will expect medicines of whoever resides among them hereafter.

The Washoes number about five hundred souls, and are rapidly diminishing, being located in the immediate vicinity of the whites. They have no property whatever, and seem to have very little inclination to acquire any. They however behave themselves very well, considering their proximity to the whites. They live along Lake Bigler and the headwaters of Carson, Walker, and Truckee rivers, and in Long and Sierra valleys, which last is in the State of California.

All that I can suggest for them at present is, that they be permitted to occupy their present localities, and that a few presents be distributed among them.

I have prepared the Indians for your reception, and you will find them ready to obey your commands. While I would recommend a humane course towards them, firmness should not be forgotten.

The affairs of this agency have all been settled by Frederick Dodge, late agent, up to the 31st day of March, 1861. The unpaid bills for the quarter ending June 30, 1861, amount to nearly three hundred and fifty dollars, exclusive of the salaries of acting agent, teamsters, and interpreter, their salaries for the quarter amount to six hundred and fifty dollars; making a total amount of about one thousand dollars.

The property belonging to the agency is all safe and in good condition at the

Walker River reservation. All of which is respectfully submitted by your obedient servant,

WARREN WASSON,

Acting United States Indian Agent.

His Excellency Gov. JAMES W. NYE,

Superintendent Indian Affairs for Nevada Territory.

No. 42.

OFFICE U. S. INDIAN AGENCY,
Carson Valley, August 13, 1861.

SIR: I have the honor to acknowledge the receipt of your communication of the present instant, requesting me to furnish a statement of such expenditures as I in my judgment might deem necessary for the future to insure the good and efficient working of the Indian service in this agency.

The expenses of the office at Walker river will be about as follows:

Expense of team and teamster, per annum.....	\$1,500	
Interpreter's salary and expenses while in the field.....	740	
Soap, candles, stationery, &c.....	100	
To erect a good, durable adobe house, and furnish it.....	600	
To erect the necessary buildings at Pyramid lake, and furnish them..	1,200	
Expense of an additional team, teamster, and a local agent or teacher	2,340	
A good substantial wagon, suitable for the service, will cost \$250;		
harness for four mules, \$90; four good mules, at \$200 each; \$800;		
total, \$1,140.		
Or I would recommend the purchase of two ox teams of three		
yokes each, and two ox wagons, which would cost, at present		
prices.....	\$1,200	
And one four-mule wagon.....	250	
		1,450
There should be issued annually to the Pah-Utes, in blankets and		
clothing.....	6,600	
To the Washoes.....	600	
And in April of each year to the Pah-Utes, in fancy articles.....	1,500	
And in April of each year to the Washoes, in fancy articles.....	150	
The Pah-Utes should also be furnished with two hundred head of cows,		
which can be purchased at \$20 per head.....	4,000	
Two hundred head of sheep, at \$4.....	800	
There should be provided annually and set apart for the purchase of		
provisions, medicines, tools, &c., to be issued to those Indians as		
necessity requires.....	2,500	
The necessary farming implements and seed for next year.....	1,000	
A blacksmith and tools should be provided for each reservation		
as early as next spring. Tools for two shops.....	\$400	
Salary for two blacksmiths, per annum.....	1,800	
Board for two blacksmiths, iron, steel, coal, &c.....	2,000	
		4,200
Total expenses for first year, exclusive of salaries of superintendent		
and agent, and their travelling expenses	29,280	

The year following the expense would be reduced to \$18,750, exclusive of pay of superintendent and agent.

Remarks.

If the government will do this for these Indians they will soon become a prosperous and happy people and an honor to this much-abused race. In one year they can be taught to do their own blacksmithing, thereby saving eighteen hundred dollars to the department per annum; and in five years the agency may be made self-sustaining if properly managed.

This policy will insure peace at an expense of not more than five dollars per Indian for the first year and three dollars for the subsequent year. There is not a Pah-Ute warrior in the tribe who is not capable of costing the government five thousand dollars a year in the event of a war, to say nothing of the consequent loss of life and the retarding of the development of the country, obstructing of the mail and telegraph lines and the cutting off of emigration entirely.

Very respectfully, your obedient servant,

WARREN WASSON,

Acting United States Indian Agent.

His Excellency JAMES W. NYE,

Governor and ex officio Superintendent of Indian Affairs.

No. 43.

YANCTON, DAKOTA TERRITORY,

Executive Office, October 18, 1861.

SIR: In compliance with the requirements of the Indian department, I have the honor of submitting the following annual report:

The general condition of Indian affairs in this Territory during the past year has been of a very satisfactory character. The quiet and peaceful conduct of the Indian tribes within the Territory of Dakota has created a feeling of confidence and security among the hardy and enterprising settlers of our luxuriant valleys which promise the most favorable results in the settlement and development of the resources of this most inviting section of the great northwest.

There is some bad feeling existing towards the government among the tribes of the Upper Missouri agency, those tribes having no annuity treaty with the government and consequently receiving, by virtue of their amity treaty, but a small amount of goods, feel no great dependence upon the support they receive from the government. It would seem to be true policy of the Indian department, as the white settlements are yearly advancing up the valley of the Missouri, to make an annuity treaty with those tribes belonging to the Upper Missouri agency, who are in possession of the land in close proximity to the frontier settlements.

Those wild tribes thus become localized, give up their predatory habits, acquire an attachment for a permanent home, begin to cultivate the soil, and, by exchanging the habits of the hunter for the husbandman, take the first necessary steps in industry and civilization.

The wild reports of Indian raids and hostile incursions upon the settlements of the northwest, which are circulated in the old settled States, are gross exaggerations, and, so far as this Territory is concerned, entirely unfounded.

There have been hostile Indian incursions in the northwest portion of Iowa for several years past, but those Indians have passed along the eastern line of our Territory, committing only an occasional depredation upon our settlements, the extent of which has been to steal a few horses. I attribute our immunity from their lawlessness to the fact that we have, within our settlements, two

Indian reservations upon the ceded lands. These friendly annuity Indians thus become to us a guard and protection, almost incalculable in value to persons who have never resided upon the frontier and learned, by experience, to appreciate the contrast between exposure to and protection from the cruel warfare of the hostile Indian.

The only Indians who are positively and actively hostile, and who have made these continued incursions into Iowa, are some roving bands of outlawed Santees, who have been cast off from the annuity Indians residing upon the Minnesota river.

On account of the burning of the steamer Chippewa, in June last, between Forts Union and Benton, which steamboat was on her way up to Fort Benton, with goods and money for the Blackfoot agency, I have been unable to receive the usual report from the agent at that place; consequently I am unable to give the Indian department any details in relation to the operations of that agency for the past year.

I have, in a previous communication, explained to you the condition of affairs at the Ponca agency. That tribe is not in a very prosperous condition at the present time, having but very recently gone upon their reservation; having thereby changed their mode of life, they have lost the benefits of their usual hunts before they have fairly secured the advantages of cultivating their farms.

As this agency is a new one, they had, last spring, but a few acres broken and in a condition to cultivate. The present agent, Mr. Hoffman, has this year broken and fenced between three and four hundred acres of land, and, in a very short time, has accomplished much for the convenience and comfort of the Indians of his agency. The prospect is that next year their farm will return a sufficient yield to place them in a very prosperous state. If the department will enable the Ponca agent to provide for carrying the Indians through the coming winter, I have no hesitation in saying that under the management of Mr. Hoffman these Indians will be enabled, through the annuity they receive and the products of their farm, to live far better and more comfortably than ever before.

The Yancton Sioux have a very favorable treaty, and are improving, year by year, in all the substantial conditions of life. Each year has witnessed an addition to the area of land brought into cultivation among these tribes. The number of acres now broken, fenced, and being cultivated is over eight hundred. Some dissatisfaction is felt among the Yanctons because they have not received their cash payment at as early a day as usual. Some inconvenience also to the Indians has arisen from the loss of provisions occasioned by the sinking of the steam ferry-boat, which was chartered by Mr. Burleigh, the Yancton agent, at St. Joseph, for the purpose of bringing up a portion of their annuity to the agency.

I find, in my intercourse with those persons who have been long resident in this Territory and well acquainted with Indian character, that they are apprehensive of an outbreak and of hostilities among the Indians of the upper Missouri, and some of the old settlers are even apprehensive of trouble with the Yanctons. I have confidence that, so far as the Yanctons are concerned, that judicious action on the part of the agent will secure to this Territory a continuance of those same peaceful relations which have heretofore existed between the Yanctons and the settlers of this Territory.

Very respectfully, your obedient servant,

WILLIAM JAYNE,
Superintendent of Indian Affairs.

Hon. WILLIAM P. DOLE,
Commissioner of Indian Affairs.

No. 44.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, June 28, 1861.

SIR: I have the honor to submit herewith the request of W. A. Burleigh, esq., United States agent for the Yancton Sioux Indians, to be authorized to raise and muster into the service of the United States two companies of volunteers, to garrison Fort Randall.

Although the matter referred to appertains exclusively to your department and that of war, I deem it proper to remark, that should the Secretary of War conclude to withdraw the regular soldiers permanently from Fort Randall, some such movement as that suggested by agent Burleigh would, in my opinion, be fully justifiable and proper as a precautionary measure.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

HON. CALEB B. SMITH,
Secretary of the Interior.

No. 45.

GREENWOOD, DAKOTA TERRITORY,

Yancton Agency, October 24, 1861.

SIR: I have the honor to submit this my first annual report as agent of the Yancton Sioux Indians, under their treaty of April 19, 1858.

I did not arrive at this agency until the 22d of May last. Had I made a direct overland journey, instead of taking passage up the Mission river, on the steamboat which conveyed the annuity goods, I might have reached here some two weeks earlier than I did.

On arriving here I found my predecessor, Colonel A. H. Redfield, waiting to welcome me to the field of his former labors; and it affords me pleasure to be able to say that he rendered me all the assistance in his power in assuming the duties of my new position. Having spent several years amongst the Indians of the Upper Missouri, and the last two years with the Yanctons, Colonel Redfield was well qualified to give me much valuable information concerning them.

I found the Indians assembled in great numbers at and around the agency, anxiously waiting to receive the presents which their "Great Father" had sent them. As soon as the necessary arrangements could be made, I called the chiefs together in council, and delivered to them their annuity goods.

I found that for want of the necessary means to renew his agricultural pursuits early in the spring, Colonel Redfield had deemed it advisable to turn over to the Indians nearly all of the stock at the agency, together with the farming tools, &c., that they might use them in getting in their crops. I regard this act as very unfortunate, although I have no doubt of his good motives in doing so, as very little of the ground was well cultivated, and the crops suffered very materially in consequence of the miserable manner in which they were attended to.

The season was too far advanced for me to think of purchasing teams and farming tools with a view of doing any considerable amount of labor, had I possessed the requisite means, of which I found myself utterly destitute. I purchased a quantity of potatoes, beans, and other needful seeds, which it was not too late to plant, and divided a part amongst the industrious Indians, while I caused the remainder to be cultivated by my own men for their benefit.

Wherever the corn on the reservation was well cultivated, and permitted to ripen, I am satisfied that both the quality and quantity per acre will compare favorably with the average yield of Pennsylvania or Ohio. More than one half of the crop, however, was consumed by the Indians before it matured. Becoming scarce of food, they impatiently commenced gathering and roasting it as soon

as the kernel was formed, and continued to do so until it was fully ripe. They have, notwithstanding this waste, a very fair quantity of corn laid up for winter use, which, together with the amount of provision estimated for and purchased by me, most of which unfortunately was lost, will, I think, carry them comfortably through the coming winter.

It is my intention to cultivate the soil extensively the next season, and I have no doubt, from its richness, and the fine climate of this region, with judicious management and suitable instruction, the Yanctons will raise more than they will need for their own consumption.

I have talked to them much about the necessity of abandoning their former habits of life, and turning their attention to tilling the soil. This, they assure me, they will do another year—that early next spring the whole male population of the tribe will go with me into the fields, and plant and sow for themselves.

My purpose is, and I am now engaged with a large force, in plowing up extensive fields for each of the seven bands. Heretofore, little has been done for any of the three upper bands, under "Medicine Cow," "Little Swan," and "Pretty Boy." I have built each of them a good frame house, one and a half stories high, with two rooms below. I am now engaged in plowing for each of them a field of one hundred acres of bottom land, and have promised them cattle, farming tools, and seed, the coming spring.

It is my intention to put a first-rate farmer with each of these bands, early in the spring, to instruct and assist them, and see that all of those who engage in planting their crops are well fed while thus engaged. By this course I expect to see them take a deep interest in cultivating the rich soil upon which they reside. This course affords the only hope to the Yanctons: to work is to live easily and comfortably; to remain indolent and pursue their former habits will result in the extermination of the tribe.

I have spent a considerable part of the season in cutting and putting up hay, of which I have an abundant supply for winter, both for the use of the agency and Indians, and all of excellent quality.

I have purchased and hauled a sufficient quantity of logs to keep the mill running till winter, which supplies me with an abundance of lumber for building purposes and fencing.

Since I returned from the east I have purchased my teams for the use of the agency, farming tools, and several good wagons, which I found to be indispensable. I have also purchased one hundred young and very fine cows, for the Indians, and have divided them amongst the different bands in proportion to their respective numbers, assuring them that if they take good care of them they shall have more next year. I have no doubt they will do so.

The chiefs of these three upper bands, who have heretofore persistently refused to settle down upon the reservation, now being comfortably located in houses of their own, have so far impressed upon their followers the wisdom of their recent course as to cause the other Indians to ask for houses themselves. I am very much pleased with the result of my labors in this particular, but find quite impossible to comply with their numerous requests.

I regard the recent action of the three upper bands, in selecting their permanent places of future abode upon the reserve, as promising much towards the permanent peace and prosperity of the whole tribe.

Most of the cattle which late agent Redfield turned over to the Indians have been killed, much of their other property destroyed, the fences around the fields broken down, and their crops stolen; all of which has been done by these bands, who allege they have been neglected in the bestowal of farms similar to those conferred upon the lower bands. I am assured by the upper chiefs that this is the only cause of the sacrifice of valuable cattle, &c., on the agency, and that as soon as the plan is adopted of treating every band alike these depredations will cease.

The Indians have never but once created any serious disturbance about the agency. About the first of the present month nearly the whole tribe assembled to receive their cash payment. I gave them what provision I had, and told them their money had not arrived; that as soon as I received it, I would call them all together and pay it over to them. With this they appeared satisfied, until persons who reside upon the outer borders of the reserve came amongst them.

I soon found that a malign influence was at work upon the minds of the Indians, and in all probability there would be trouble.

In this I was correct. Soon after, the upper bands appeared in council: broke up in disorder, retired to their lodges, when a hundred and fifty warriors, painted, armed, and equipped in fighting style, came and surrounded the office and warehouse, bringing hay from the stacks and piling it against the buildings. They then renewed their demand previously made for all of the powder in the magazine belonging to the whole tribe.

I told them that I had in a friendly council refused to grant their request for all of the powder; that they now came to frighten or force me to their terms: that if they wanted to frighten me they must give their faces another coat of black paint; if they wanted to fight me they had better go and get the rest of the Indians from the upper country.

Becoming satisfied that the powder could only be obtained by a fight, they retired for council. I kept a stout guard that night. The following day I discovered that the upper bands were sending all of their women and children away, and making preparations for a war-dance in the evening.

Thinking it advisable to do so, I despatched a messenger to Fort Randall, with a note to the commanding officer, who, with a full company of United States infantry, arrived at the agency just as the war-dance was commencing.

The disappointed Indians and their evil advisers became frightened and left by daylight the following morning, since which time I have not been annoyed with them. I am well persuaded that all of the disturbance which has occurred has been occasioned by the whites and half-breeds, who stick to the Indians like so many "blood-suckers," as long as there is the least possibility of swindling them out of either their furs, provisions, or annuity goods.

The sooner the world is purged of these curses in human shape the better it will be for both decent white men and Indians; and once clothed with the requisite authority there are to be found friends of good order who would use the necessary means to accomplish this desirable end.

The rapid encroachments of the river upon the site of the mill will compel its removal before the high water of next year, which will probably be the latter part of June.

If this is neglected the mill will be undermined by the Missouri and swept away.

It is my intention, if it meets with the approval of the department, to remove the mill to the timber, which is some three miles below the agency, and locate it upon a small lake, which will afford an abundant supply of water, and remove it as far from the river as to render danger from its encroachments impossible.

It will be necessary to attach a grain and flour mill, with a good bolt, to the saw mill, for the use of the agency, (the power is ample,) while the one now attached is of very little account. I will refer to this subject at a future time, and estimate for the removal and necessary improvements.

Since taking charge of this agency I have put in successful operation a first-rate tin, copper, and gunsmith shop, under the control of a competent workman, where all the articles manufactured from tin, copper, and sheet iron, are furnished the Indians, and the necessary repairing for the whole tribe done.

A good carpenter and repair shop has also been put in operation, where the necessary work for the agency and Indians is carried on.

The erection of a school-house has not yet been commenced, but will be at an early day. I have already commenced a school in a building at the agency, formerly occupied by two families. The plan suggested by me and approved by the department, of erecting an economical building for a school-house, will be adhered to.

The Indians appear much pleased with the plan of apprenticing their own boys, and learning them to become mechanics.

I have already commenced selecting the most intelligent appearing orphan boys, and have assigned them their different trades. Although the carrying out of this system must necessarily be attended with some trouble, I believe it one of very great importance to the Indians. I have no doubt of its success.

The physician who I employed for the tribe has been kept very busy since his arrival at the agency, owing to an unusual amount of sickness amongst the Indians, very many of whom have been suffering from chills and fever and almost every other form of disease which suffering humanity is heir to. His success in the treatment of their maladies has been surprising to the Indians, who already look upon him as the "great white medicine man." His influence with the tribe is of the most salutary character.

I have purchased articles corresponding in quantity and quality with those lost by the steamboat on board of which I shipped my goods, provisions, &c., and have satisfied the Indians that they will lose nothing by the accident. I am now receiving the provisions and other articles which I purchased to supply the loss. The Indians are highly gratified to see it, and assure me that they will never again listen to the counsels of those whose friendship is only manifested towards them when they have plenty of money, furs, and blankets.

As soon as I am able to make a full report of the loss sustained by the sinking of the steamboat I will lose no time in doing so. I hope to be able to report by the middle of November. The whole loss to the government will not, I believe, exceed four thousand dollars. I have used every effort to save what I could; but for the interference of other parties it would have been much less than it is. Some of the articles are damaged only in appearance, and have been received by the Indians without a word of complaint, while others were really injured, and were received by them at what I said they were worth.

I have felt myself very much embarrassed in this whole affair, being so far removed from my proper advisers as to be deprived of their counsel. I have acted in every particular as I deemed just. I have not been able to receive an answer from either the superintendent at St. Joseph or the commissioner at Washington to a single one of my numerous communications sent them.

I regret exceedingly that the money for the cash payment to the Indians and half-breeds has not arrived. They have been anxiously waiting to receive it, and stand in great need of it to purchase food, clothing, and other necessities for winter use.

I feel it my duty to call the attention of the department to the pressing necessity for the passage of a law by Congress imposing the severest punishment upon unprincipled men who squat down upon government land, outside the reservation, and trade with the Indians for their horses, blankets, guns, traps, furs, &c., and give them whiskey, tobacco, &c., in return.

Trusting, as I do, that my effort to improve the condition of the Indians may be successful, and that the result of my labors may be such as to enable me next year to make a report which shall be alike satisfactory to the department and creditable to myself, I am, sir, your obedient servant,

W. A. BURLEIGH,
United States Yancton Agent.

Colonel H. B. BRANCH,
Superintendent Indian Affairs, St. Joseph, Missouri.

No. 46.

INDIAN SUPERINTENDENCY,

Santa Fé, New Mexico, October 8, 1861.

SIR: Since my last annual report some very important events have transpired within this superintendency, which have seriously interfered with the management of the Indian tribes in the south and southwestern portion of the Territory. Those parts of the country have been invaded by armed companies from the State of Texas, which now occupy and hold, under military rule, the whole of Arizona, and are threatening to extend their incursions further north.

Within the district thus occupied by the invaders are included all the Apache tribe of Indians except the small band of Jicarillas; the Pimos Maricopas, and Papagos also fall within that district. The agents for these Indians have been driven from their agencies, and the Indians, being left without restraint, are overrunning the country, and committing depredations wherever it suits their inclination or convenience.

At the time of the invasion the Mescaleras were receiving rations at Fort Stanton, and were conducting themselves well; but soon after the abandonment of the fort by the government troops they became involved in a quarrel with the Texans that brought on a fight, in which several Indians and some of the Texans were killed.

Since then they have inaugurated a series of depredations upon the Mexican settlements, having killed one man and stolen a considerable amount of property. After Fort Stanton was abandoned by the government forces it was, for a short time, held by the Texans; and when they left the Indians, smarting under the injuries they had received from the invaders, very soon assumed a hostile attitude towards the citizens on the Rio Bonito, who had settled under the protection of the fort. These settlers have made many valuable improvements on the Bonito, and their crops promised an abundant yield the present season; not less, it is said, than five thousand fanegas (twelve thousand bushels) of corn, besides a heavy crop of potatoes and other vegetables. These products would have been quite sufficient to have supplied all the demand for such articles at Fort Stanton. All this has been deserted and lost by the settlers in consequence of the hostility of the Indians.

On the Rio Mimbres, west of Mesilla, settlements were also being made, and considerable planting has been done in that valley, which is very fertile, and contains a large quantity of arable land. The hostility of the Gila Apaches has driven the whites from the valley, compelling them to leave the fruits of their labor behind and seek safety in the more densely populated districts. The Indians of the Gila country are all Apaches, and number from seven to eight thousand souls; they are designated by the general name of Gileñas, and are divided into the following bands, viz: Mimbres, Mogollons, Chilecagos, Coyolenos, Pendefias, and Santos. The two latter have, within the last two years, committed frequent depredations upon the citizens and miners in Arizona; and, in consequence of the imprudent conduct of the miners at Pino Alto, other bands have been induced to join them, and now the whole tribe in that vicinity are in hostility with the government. This unfriendly attitude has been greatly encouraged by the discontinuance of the overland mail on the southern route. Believing that they were the cause of the removal of the mail line, the Indians became encouraged at the supposed success of their own designs, and have been led on to other acts of plunder and bloodshed. As evidence of the correctness of these remarks, I reproduce the following article from the *Mesilla Times* of the 3d instant, which is as follows:

"By express from Pino Alto and Rio Mimbres, bringing urgent appeals for assistance from the citizens, we have startling intelligence from that quarter; the

Apaches seem to have united, and their tribes have gathered in hosts, and commenced a war of extermination against the whites in earnest.

"In such formidable numbers they have never assembled before on the war-cout; and never before have they, in all time, evinced such boldness and daring as to attack a town of two or three hundred houses in open daylight. Nineteen-twentieths of the Territory of Arizona is under their undisputed control. We have Indians all around us; the slightest journey must be performed in numbers, and with armed bodies of men; the highways of a continent are impassable but to armies. Every day brings from the east, west, north, and south, appalling additions to our black list of Indian murders—houses deserted, friends fallen victims to the savage foe. Added to this the scourge of war, and our situation is most piteous and most unfortunate. In our very midst is a multitude of friends willing and ready to render assistance, but are prevented by the presence of another foe. On the morning of the 27th the Apaches, 250 or 300 strong, attacked the town of Pino Alto. Captain Martin and fifteen of the Arizona Guards, having opportunely arrived the night before, a desperate fight was kept up with the Indians for several hours from the houses and corrals. The Indians were finally compelled to raise the siege, with the loss of many of their braves. Private Corwin, of the Guards, was killed in the fight, and three citizens; two more were severely wounded, and several others slightly, and several missing. Many houses were burned. Captain Martin, of the Arizona Guards, is severely wounded, his arm being fractured. His conduct and that of his men is most enthusiastically spoken of by the citizens of Pino Alto.

"Horney's train, en route for Sonora, with which were two American families and some emigrants, was attacked one day out from Pino Alto mines by about 50 Indians. They threw up a breastwork and defended themselves for 14 hours against the Apaches, losing two men. They would all have been inevitably massacred but for the arrival of Lieutenant Snelling, with a detachment of Arizona guards, who escorted them safely to the Mimbres river. A Mexican train from the Mesilla is corralled by the Indians at White Water."

From this it will be seen that the condition of the tribe is one that demands powerful interposition of the military arm of the government, without which it will be vain to attempt to control them.

When this can be done seems at present uncertain. The Texans most undoubtedly should receive the first and most energetic attention of the military. It is thought that they would incite the Indians to acts of violence against the citizens of New Mexico, rather than attempt to restrain them. They should, therefore, not be allowed to remain in a position where they can exercise an influence over them. This, in addition to considerations of vastly more importance in a national point of view, renders the immediate expulsion of the Texans from our borders absolutely necessary for the safety of the citizens and the subjugation of the Indians in Arizona.

Similar remarks may be made in reference to the Mescaleras. They are within the limits occupied by the invaders, which places them beyond our control, and there can be no restraint upon their predatory habits until the authority of the government shall have been re-established in that part of the Territory.

For the time being I have placed Agent Labadi at Anton Chico, where he will be able to communicate with such portions of the band as visit that vicinity, and where they have recently committed several robberies and murdered one man. This location will also enable Agent Labadi to meet the Comanches, should they again approach the settlements on our eastern border, as they have heretofore frequently done, occasioning much trouble and loss to the citizens.

The Navajoes, I regret to say, continue in a very unsatisfactory condition. They have never entirely ceased their depredations and warlike incursions upon our people since the war of 1858. Soon after forwarding my annual report of last year, the expedition therein mentioned moved against the nation, under the

command of Colonel Canby. The force was composed of regular troops, Mexican volunteers, and Pueblo and Utah Indians. The regular troops remained in the field until some time in February of the present year, when an armistice was agreed upon, which was to continue for three months, and which has since been extended until February next. The propriety of this clemency, I am aware, will be doubted by many; but it was deemed necessary to consult the means at command to make a campaign against them before we forced its necessity. The tribe have suffered severely in the late war, both in the loss of life and property, and still more in the loss of women and children, made captives. Notwithstanding all this, they have at no time entirely ceased from the commission of depredations.

In the early part of last month some chiefs, with about thirty of their people, visited the superintendency for the purpose of consulting in reference to the establishment of final peace. Governor Connelly, Colonel Canby, and myself, met them in council; they represented that the tribe was unanimously in favor of peace, and that they were prepared to pledge the faith of their people to the observance of any terms that might be imposed upon them.

Although the talk had with them was quite protracted, and they had evidently come prepared to place their case before us in the best possible light, nothing was adduced from them that has not been time and again heard from them in former consultations held for similar purposes.

During the past four years representations have been frequently made on their part, when, in their opinion, a suspension of hostilities would operate to their advantage. All the treaties and armistices that have been negotiated with them, copies of which have been transmitted to the department, bear written evidence of this fact. They have not been known to hesitate in making the most solemn pledges of fidelity to their engagements on these occasions; nor has there been an instance in which those pledges have not been broken and their faith violated. In fact, all experience with the tribe has taught us that they attach no importance whatever to any obligations they have assumed, nor do they regard them longer than in their conception it is their interest so to do. As to moral responsibility, they do not seem to have the most remote conception of it. In regard to this latter remark, they perhaps do not materially differ from other wild tribes. They are not, however, deficient in intelligence, and, in my opinion, they could be reduced to a condition which would eventually lead to their civilization. But to effect this a radical change will have to be made in the policy of the government towards them.

In my former reports, the attention of the Commissioner has been dwelt upon at some length. Each recurring year gives additional evidence of the necessity for this change. The record of murders committed annually by them is truly frightful. In the range of their depredations, which extend through some of the most densely populated districts of the Territory, there is scarcely a neighborhood but what has lost some of its most valuable citizens by their hands. This death list is not made up of a few lives lost, or of the cutting off of a small number of men who have indiscreetly ventured too far from the limits of civilization, with a view to future gain, or for the purpose of intruding upon the rights of the Indians. Its number will extend to nearly three hundred for the past eighteen months, and, as just above stated, comprised many of our most worthy citizens, who were engaged in peaceful and honorable pursuits of life. Such is the dread which our people entertain for the Navajo Indians, that they never visit those parts of the country which are known to be subject to their incursion, unless they go prepared to defend themselves from the attack of the dreaded foe. They know not when or where they are secure, nor how large a body of these savages they may have to contend with.

During the year I have kept the Commissioner advised in reference to the depredations committed by these Indians upon the property of the people. In

aggregate they have been as numerous and as impoverishing as those of former years, notwithstanding the *quasi* peace that has existed.

I am clearly satisfied no change for the better will take place with these Indians, as long as the present policy continues; on the other hand, they seem retrograde instead of improving. Although they have year after year preyed on our citizens and consumed their substance, their own condition derives no benefit from it.

Sooner or later, congressional action will be required for the relief of New Mexico from this marauding tribe. One of two things will have to be done with them—a total breaking up of the nation, verging upon extermination, or placing them upon a reserve, must be eventually resorted to. Beside the inhumanity of the former policy, it would be the less preferable of the two in consequence of the cost to which it would subject the government. The latter, every view of the case, would be much more desirable. In addition to the manifest blessings it would confer both upon the white and the red man, it would relieve the government, in a very brief time, of a large annual expenditure that is now required. The cost of one campaign, such as that made last winter in Navajo country, would fully meet all the expense incident to placing the whole tribe upon a suitable reservation; indeed, it is believed that it would go towards settling every tribe within our limits upon suitable reserves.

Delay in adopting the policy here recommended serves only to aggravate the evil to be remedied. The Indian will be no better prepared for the proposed change five or ten years hence than he is at present. The virtual license with which he is now permitted to conduct himself under the present policy gives him assurance in his own power, and has a constant tendency to lessen his respect for the authority of the government. This being a question of vital importance to the people of the Territory, as well as to the Indians, it is to be hoped that Congress, in its wisdom, will do at an early day that which will bring a full measure of relief to a suffering people. The unsettled condition of the tribe for so long a time has impoverished their people.

In former years they were regarded as being entirely able to support themselves, but for the last three years they have not been permitted to plant but to very limited extent, and much of the little they did plant was destroyed by troops engaged in campaigns against them.

During the approaching winter they will unquestionably suffer for food, unless government comes to their relief. I would, therefore, respectfully ask that special allowance of five thousand dollars be made to meet this necessity. If not done the Indians must steal to support their families.

I am happy to be able to state that the existing relations with the Utahs are better than has been shown with reference to the before mentioned tribes. The whole nation, so far as I have been advised, have conducted themselves well during the year. Some thefts have been charged against them by the citizens on the frontier, but less could scarcely be expected from wild Indians, as long as they are permitted to roam at pleasure over the country, as they now do.

In August I visited the Abiquin agency, and was present when the Capotes and Pa-u-da bands received their annual present. They seemed contented and expressed increased confidence in the government.

As I have stated in former reports, the Utahs are a powerful and warlike nation. I have never been able to obtain satisfactory information in regard to their numbers; they range over a vast extent of country, and are divided into numerous bands, some of which are known and designated as follows, viz: Minanches, Asivoriches, Sampuches, Cawaupugos, Tupanagos, Pa-uches, and antas; the Capotes, Tobohuaches, and Mohuaches were formerly connected with the above bands, but have been separated from them and now form distinct nations. All, except the Pa-uches, Capotes, and Mohuaches, fall within the limits of Colorado Territory. The Tobohuaches were formerly attached to this super-

intendency, but having been found to belong to the new Territory, they were, by an order from the department, turned over, with their agent, to the superintendency of Governor Gilpin.

The agency for the Mohuachès has been removed from Taos to the neighborhood of Maxwell's Rancho, on the east side of the mountains; this change was found necessary on account of the whiskey dealers who live in Taos. It seems impossible to prevent the sale of whiskey to the Indians, and that evil will undoubtedly attend them until they are removed entirely from the settlements and located upon reserves. For more detailed information in reference to the Mohuaches you are referred to the report of Agent Army, forwarded by the last mail.

I have regarded it of the utmost importance that we should maintain friendly relations with this formidable tribe; they are a dangerous foe at any time, but would be much more so now, surrounded as we are by enemies. With a view to a more perfect control over them, I have appointed Mr. Henry Murcure to the special agency formerly filled by Mr. Pfeiffer, who some time since was appointed to a captaincy in the volunteer service of the United States. Mr. Murcure is a prudent, reliable man, well acquainted with the Indians, and will no doubt exercise a wholesome influence over them.

The Jicarillas continue to occupy the mountainous country in the counties of Moro and Taos. I met them at Abiquin in August, with the exception of some thirty Ladogers. Those in attendance received their presents and appeared well satisfied; the balance of the band received their gratuities from Agent Army at Maxwell's Rancho.

During the year numerous complaints have been made against the Jicarillas for cattle killed and stolen by them, many of which are doubtless true; these robberies constitute an evil with which the citizens will have to contend until the Indians are placed without the reach of the settlements, for it is wholly impossible for the agents to prevent such occurrences while the Indians are permitted to run over the country as they now do.

Similar remarks as those made in reference to the settlement of the Navajo will apply with equal force to both the Utahs and Apaches. The Territory will never be relieved from the effects of their marauding habits, nor the government from the expense attending their maintenance, until they shall have been settled upon reserves and instructed in the art of cultivating the soil.

Mr. John Ward, who is now the agent for the Pueblo Indians in this Territory, was some time since ordered on special duty to the Navajo country, under requisition of the commanding officer, Colonel Canbey. Consequently he will be able to furnish a report the present year, which he otherwise would have done. No material change, however, has taken place with regard to the Pueblos; they have grown abundant crops the present season, and are in every respect as far from want as any portion of the population of the Territory. They require very little from the hands of the government, except for the establishment of schools among them. This necessity has before been urgently pressed upon the attention of the department, and is certainly worthy of an early and favorable consideration. A small annual appropriation could not be made for a more useful and beneficial purpose.

The Indians of the Pueblos are in a condition from which it will require but small advance to make them useful citizens; the want of education is the desideratum which prevents them from obtaining this very desirable position.

The Comanches continue to encroach upon our eastern borders, and have occasioned considerable loss to the citizens in that section. In May last it was thought advisable to hold a council with them. For this purpose Captain Wainwright, of the United States army, and myself, met their principal chief at Aleno Gordo, some eighty miles east of the settlements. At this interview a three months' truce was agreed upon. One of the conditions imposed upon them

was, that none of their people should visit or intrude upon the settlements during the continuance of the truce. This promise, however, was very soon violated. A party of Indians, with several chiefs, returned to the settlements and commenced a destructive assault upon the herds of the citizens. A detachment of troops was sent against them, who drove them back, killing several and wounding others. Since then they have not returned. A short time since they sent in a messenger asking for another interview, which will be granted if a suitable time for the meeting can be arranged.

I have several times urged the appointment of an agent for this band of Comanches, and unless it is done the settlements will remain insecure.

Allow me to again call the attention of the Commissioner to the indemnity claims for losses incurred by Indian depredations in this Territory. These claims should be disposed of without further delay; they continue to be a source of great trouble and vexation to the superintendent and agents.

A commission should be appointed to investigate their validity and recommend the payment of such of them as are just.

The estimate of funds necessary for the next fiscal year for the Indian service in this superintendency will be forwarded without delay.

Very respectfully, your obedient servant,

J. F. COLLINS,

Superintendent Indian Affairs, New Mexico.

Hon. WM. P. DOLE,

Commissioner of Indian Affairs, Washington City.

No. 47.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, July 17, 1861.

SIR: I have the honor to transmit herewith the copy of a communication of the 22d ultimo, from Superintendent Collins, of New Mexico, and of accompanying papers, indicating the distracted condition of our federal relations in the Territory, so-called, of Arizona, but within the limits of that of New Mexico. The information contained in these papers shows the urgent necessity of placing an armed force in that country to protect the government officials from the lawless combination of conspirators against the peace and quiet of the Territory, or of at once abandoning it into their hands. Not only are government troops necessary to protect our officers and loyal citizens in that region, but on the entire frontier west of the western border States also. The insufficiency of our forces emboldens the Indians to commit depredations upon one another, and also upon the settlement of the whites. Many of the tribes appear to be restless and turbulent, and I have fear of serious troubles unless the forts on that frontier are at once reinforced. The magnitude of the interests involved induces me to recommend that you will again call the attention of the Department of War to this subject, and urge immediate action in the premises.

Very respectfully, your obedient servant,

WILLIAM P. DOLE, *Commissioner.*

Hon. C. B. SMITH,

Secretary of the Interior,

Ex. Doc. 1—47

No. 48.

UTAH INDIAN AGENCY,

Maxwell's Ranch, on the Cimarron, N. M., September 24, 1861.

SIR: In submitting this my first report of the condition of the Indians placed under my charge, in compliance with the regulations of the Indian department, it gives me pleasure to state that the Mohuache band of Utah Indians, for whom I am agent, are friendly disposed toward the United States, and since my arrival here have tendered their services for the protection of the citizens of this Territory.

On the 10th of this month their yearly presents were delivered to them, and to a portion of the Apache Jicarillas, (who failed to be at Abiquin to receive their presents,) at this place, to which the agency has been removed, it being much more convenient to the Indians, and will remove them to some extent from the temptation to which they were exposed at Taos, from the use of intoxicating liquors. They all expressed themselves satisfied with the presents they received, except that they wanted more material for lodges, of which they are almost destitute. I have been in charge of this office only about two months, and consequently cannot make a full and complete report of the number and sex of these Indians, but will do so as soon as possible. My predecessor, Colonel Carson, estimates their number at eight hundred and fifty or nine hundred. My opinion is that when fully enumerated the number will be less than above specified.

The Mohuache tribe of Utahs and the Jicarilla Apaches possess the balance of power in the Territory of New Mexico. They stand between the unfriendly Indian and the citizens, and if they were to array themselves against the citizens, there would be no security for life or property here, unless at great expense to the general government to sustain an army to keep them in subjection. It is evident to even the casual observer here that the permanent location of the tribes of Indians of New Mexico on reservations is the only policy to be pursued in order to give protection to the inhabitants of this country, improve the condition of the Indian, and finally save to the government an enormous amount annually expended in keeping them in subjugation. The reservations once established and the Indians placed therein under the charge of agents, for whom suitable buildings should be erected on the reserve, with sufficient troops to keep the Indians on the reserve and the citizens off—with the employment of a farmer and mechanic to teach them agriculture and aid them in the erection of houses to dwell in, and a school with a competent teacher for the children, in which should be adopted a good system of industrial education—would, in a few years, do away with the expensive expeditions heretofore made against the Indians, which have resulted in more injury to the property of the citizens of the Territory than any effect produced upon the Indians, and which have generally only resulted in the making of treaties, to be violated in less than a week. With the reservations established, (which in the beginning would require considerable energy, patience, and good judgment on the part of the agents,) New Mexico would then enjoy protection and security in lives and property; her agricultural, pastoral, and mineral wealth could be fully developed, and our government while it performed a sacred duty towards the Indians in the amelioration of their condition by educating them mentally, morally, and physically, would, after three or four years, save a vast amount of money which, under the present system, is expended very unprofitably.

To keep the Indians from committing depredations on citizens, (for they will steal before they will starve,) food must be furnished to them by the government liberally during the coming winter, there being no game of any consequence in the country through which they roam.

I have in the employ of the Indian department only one person, Luke Murry, as interpreter, a native of St. Louis county, State of Missouri, aged 51 years, at a salary of \$500 per annum, who was appointed on the 15th of August, 1861.

Very respectfully, your obedient servant,

WILLIAM F. M. ARNY,
United States Indian Agent.

JAMES L. COLLINS, Esq.,
Superintendent Indian Affairs, Santa Fé, New Mexico.

No. 49.

OFFICE OF THE SUPERINTENDENT OF INDIAN AFFAIRS,
Utah Territory, June 30, 1861.

SIR: I have the honor to submit herewith a return of the property, accounts current, abstracts of expenditures, and vouchers for the Indian service connected with this superintendency for the quarters ending March 31 and June 30, 1861. In closing my connexion with the service as its principal officer in this Territory, I submit this my annual report.

As stated in a previous report, I arrived here on the 11th day of November, 1860. The time for active farming operations had expired, and winter in this region had set in. The farms at the San Pete, Corn Creek, Deep Creek, and Ruby Valley reserves had been abandoned by my predecessor and gone to ruin; and the various tribes attached thereto had wandered off and returned to their mountain haunts. Scarcely a vestige of the improvements once existing on the several reserves was visible; and to do anything of value at farming on them was, at that season of the year, impracticable. The Indians, except those in charge of Agent Humphreys, at the Spanish Fork reserve, who had a supply of wheat raised there by his industry, were in a state of nakedness and starvation, destitute of shelter, and dying of want; and as nothing could be done on the farms, and assurances having been given me by the Secretary of the Interior and his excellency the President, in person, that I should be supplied with means six months in advance, according to my estimates furnished, I appropriated all the means at my command towards relieving their immediate personal necessities, diverting a large portion of the funds designed for other uses to this particular purpose, and proceeded without delay to furnish the necessary supplies and make distributions.

Owing to a previous state of facts, known to the department, the Indians had lost confidence in the government and people of the United States, had become vicious and spiteful; emigrants had been robbed, our countrywomen outraged; families slaughtered, mothers and their little children carried away in captivity, and even the express riders and carriers of the United States mails had been attacked and murdered. Concerning the causes which led to this deplorable state of affairs, it does not become me to speak; suffice it, that such was the state of facts when I came to this Territory in charge of the Indian service. On these accounts the white inhabitants of the Territory had been subjected to insults, thefts, threats, intrusions, and other outrages from them, and these citizens were urgent in appeals for the interference and protection of the government.

I immediately after my arrival despatched messengers among the different bands, and invited them to meet me in council at the most practicable points; and having met and made distributions amongst those nearest this city, I arranged for an expedition among the Goshu-Utes, Pah-Vantes, Shoshonees, Tosawitches, and others along the California mail road for a distance of four hundred miles west of this city. No agents being in the Territory except W. H. Rogers, esq.,

who lay at the point of death and could not be consulted on any subject, and no reports of estimated expenditures at the different reserves having been made to me, I prepared estimates on the best data within my reach, and caused the same to be forwarded to the department by mail on the 27th day of November, 1860, and the same day started on my contemplated journey westward. My outfit consisted of the ambulance and baggage wagon attached to this superintendency, each drawn by four mules, two wagons, drawn by four and six mules, laden with flour, bacon, coffee, sugar, material for lodges, or wipkrups, (as they call them,) blankets, shirts, coats, pants, hats, boots, shoes, stockings, women's dresses, handkerchiefs, tobacco, ammunition, trinkets, &c., &c.; one guide, two guards and herders of stock, and one cook, who, together with the teamsters and myself, constituted seven men, four vehicles, and twenty-one animals. Messengers preceding me convened the different bands, after much exposure and labor, at Deep creek. Shell creek, Spring Valley Buttes, Ruby valley, and other places along my route, where I held councils, made feasts, and distributed presents, which sent gladness to their hearts, and I have no doubt saved hundreds of lives among the naked, miserable, and wretched inhabitants of these desolate wilds. The absence of every living thing (save the poor Indian) from these dreary wastes adds to its solitude, and the fierce winds, driving snows, terrible storms, and intense cold that prevail here in the winter season, render such a journey as this so hazardous and full of peril that my return to Great Salt Lake City in thirty-eight days from the time of starting (having travelled eight hundred miles, over mountains, through deserts, among hostile savages, and sleeping all the time out of doors upon the frozen ground without tents) was a matter of surprise to the most experienced and fearless mountaineers.

The poverty, misery, and wretchedness of the poor creatures, men, women, and children, who crowded the wayside on my return trip to shake hands and beg me to "come again soon with presents from the great chief at Washington," is beyond conception, much less description; and their number, I regret to say, is much larger than previously estimated. Two or three flocks of the mallard duck, which we scared up from some of the warm sulphur springs, and a few rabbits, were all the game we saw during the whole journey.

At some of these springs were immense quantities of dark-colored fish, called "the chub," about four inches in length, which the Indians used to eat in winter, but the overland California mail company has built stations for their convenience, and located men and quartered stock about these spots, and the Indians no longer visit them. No sign of antelope, deer, mountain sheep, elk, not so much as a prairie dog, weasel, bear, buffalo, or anything except wolves, was discovered; and at Spring valley I found a family broiling a wolf to eat. Indians generally have a tradition that good braves, after death, go to happy hunting grounds, and bad ones enter into wolves and roam over the earth as a punishment for their wickedness. Hence the wolf is an object of religious veneration, and its life is held sacred. But the raging hunger of the poor creatures in these regions forces them to yield to its demands at the risk of future punishment, and they devour the wolf, entrails and their contents, as they did the beef cattle I caused to be slaughtered for them. They are the only Indians known who eat the wolf (or riota, as they call it.) As an experiment, we camped at one of these springs and caught some of the fish with a hook and line, which we cooked for supper; but either the poor quality of the fish or our bad cooking caused them to be a very tasteless and indifferent article of food. Stock will not drink the water of these springs, because of its sulphuric and other medical properties. Further west, and in the northern and eastern portion of this Territory, there are fine fish and large lakes of excellent water. Provo lake, thirty miles south of the Great Salt lake, has abounded in fish, but they are now scarce there, and but few find their way down the river Jordan, the outlet by means of which this lake empties itself into the Great Salt lake, which latter is not inhabited

by fish or fowl. It is said that three barrels of the water of this lake will make one of pure salt by the simple process of boiling. In my first interview with the Indians of this superintendency, I found them timid, reserved, suspicious, sullen, and repulsive. A better acquaintance secured their confidence, and I flatter myself with the belief that I am respected by them, and command a controlling influence over them, as far as I am known among them. In pursuance of my plan previously communicated to the department, to organize the detached and scattered bands of Goshu-Utes under one common head, the Chief Ads-Sin, I made arrangements to reach and bring in all the petty chiefs of that once powerful tribe, with their followers, who kept secreted in the mountains and deserts; and Green Jacket, Teekutup, Jack, Tabby, and their bands, have travelled hundreds of miles to see me, and have spent several days each at my quarters.

Wonibijinnu, the famous mountain robber, refusing to come, was strategically seized by my directions and brought many miles on his way to this city, when he turned upon his captors and was killed, which is approved by the Indians and whites generally. This tribe will hereafter, in my opinion, remain rejuvenated and united, under their former chief, "Old Ibun." One of this tribe was missing from about the Willow Spring mail station last fall, and they strongly suspect he has been murdered by the employés there. Others were missing shortly after, in a similar way, about Grantsville, in Lovely valley, and the whites there are suspected of having put them out of the way. The Indians have instituted diligent search and made some threats, but unless new aggravations transpire, I presume there is no special danger to be apprehended from those causes.

The immense depth of the snow, which in some places was said to be as much as fifty feet, rendered locomotion with wheeled vehicles impracticable, and although I ventured as far as the safety of my animals and men permitted, I was forced to confine my operations principally to the bands and tribes who came from necessity by hundreds to visit me at my quarters. Including those whom I have visited and the multitudes that have congregated around my quarters, I have seen and made liberal distribution of presents among every tribe and band in this Territory, except those in Carson valley and certain remote bands on the head of the Humboldt river and Goose creek. The chiefs and principal men, with their families, have spent some time with me, and I have conversed fully with them, through my excellent interpreter, Mr. Dimmick B. Huntington, who has lived here twenty years, converses freely in each language, is well known by every band and chief throughout the Territory, and wields great influence over them all. In these conversations I discovered that they had a suspicion that it was the policy of the whites to populate their country and drive them into the big waters west of them, and some trouble may be anticipated in attempts to negotiate the purchase of their lands by treaty or otherwise. Most of the soil susceptible of cultivation is now settled and occupied by white persons, and the tide of population, attracted hither by the peculiar religious notions of the settlers of this Territory, will soon leave but little space for the poor Indian. I have again to urge the importance of extending the limits of the reserve at Ruby valley and Deep creek, (or Ibimpah) so as to embrace the whole of said valleys, and that surveys of the same be immediately made and their boundaries regularly designated. I also recommend the establishment of reserves and farms for the Snakes (Wash-akeis band and Bannacks) on Green river, three hundred miles east of this city, and also for the Weber-Utes, Little Soldier's band, on Weber river. For the various bands of Utes, Pah-Utes, Pah-vants, and others, who congregate at the Spanish Fork farm, I recommend the establishment of a reserve, including the whole of Winter valley in addition to the Spanish fork, Corn creek, and San Pete reserve. As the sum appropriated for the Indian service in this Territory is only about forty thousand dollars per annum, I beg

to suggest that the amount expended in cultivating cereals is disproportionate to what should be invested in raising cattle, and supplying clothing.

These are unquestionably the poorest Indians on the continent. There is no game to subsist them, and from the nature of the country there never can be. Animals whose nature it is to inhabit forests will not abide in the beds of saleratus and on the barren rocks and dismal wastes of this insalubrious clime. If the system of cultivating grain be so modified as to substitute in part the raising of cattle for the subsistence of the Indians, it will operate beneficially in various respects. The Indian is by nature a herdsman, and he will readily fall in with the idea of taking care of cattle in preference to performing the more civilized labor of the farm. Besides, it is their nature to need meat. When fed on flour without meat for any length of time, they become diseased, and a change from that to meat will soon restore them to their wonted health. Owing to the difficulty of getting beef, I have tried to substitute the use of bacon. During last winter starvation compelled many of them to eat it, but some had to be supplied with beef. If four or five thousand dollars were invested in yearling heifers, and proper care were taken of them on the different reserves, beneficial results would soon follow. The plan of making up the goods designed to clothe them into garments, such as are worn by white persons, male and female, operates finely, and cannot be too strongly recommended. They are well pleased at being dressed like citizens, and it tends to make them more cleanly and careful of their person and their clothing, and the cost of making is saved by the less quantity necessary to be given. It also has the effect of preventing them from trading off their garments, which is invariably practiced when the raw material is given them. The destitution of these Indians and the excessive severity of the wintry seasons cause much sickness, especially inflammatory and pulmonary diseases, among them.

Great suffering and many deaths transpire, which might be mitigated, and perhaps prevented, by proper medical treatment. Syphilis prevails to a fearful extent among the Pah-vants and Pi-utes, which it is said they contract among the Navajoes, with whom they do much trading. I recommend the appointment of an experienced physician, whose duty it shall be to render medical assistance to all who may need it within this superintendency. Owing to the high price of everything in this remote region, and the laborious, perilous, and self-sacrificing labor of the office attached to the Indian service here, I submit that their compensation is inadequate, and recommend that their salaries be increased. The pay of the superintendent should be three thousand dollars, and that of each agent, two thousand dollars. From the best information I can obtain from traders, mountaineers, travellers, and other persons, I presume there are some twenty thousand souls embraced within the jurisdiction of this superintendency. I have, therefore, to submit that an appropriation of forty thousand dollars per annum is quite insufficient for their wants. After deducting salaries of officers, their incidental expenses, pay of farm agents, other employés, and incidental expenditures of the reserve, but little is left for clothing, which is more needed among them than anything else. To put the Ruby Valley reserve in successful operation will require—

At least.....	\$7,000 00
Deep Creek or Ibimpah.....	7,000 00
Corn Creek.....	4,000 00
San Pete.....	4,000 00
To open a farm on Weber for Little Soldier's Utes.....	8,000 00
To open a farm on Green River for Wash-a-kees, Snakes.....	10,000 00
Besides what may be necessary to make repairs and carry on the Spanish Fork and Carson Valley farms, which may perhaps require	10,000 00
Making in the aggregate.....	\$60,000 00

Add to this for clothing, blankets, lodges, arms, ammunition, &c.,
two dollars per capita..... \$40,000 00

And we have an aggregate of 100,000 00
which would not be more than might be judiciously and beneficially expended
the ensuing year.

Labor, provisions, and articles of merchandise of any description are exceedingly high in this country, and difficult to be had at any price.

No reports have been received during the year from the Spanish fork of Carson Valley agencies. The agents, it seems, are required to report to the Commissioner at Washington, instead of the superintendent.—(See accompanying correspondence between Agent Humphreys and this office, marked A and B, herewith presented.)

In consequence of no response being made to my request for funds, as expressed in my letter to the Commissioner, dated November 26, and mailed November 27, 1860, I addressed him a second letter, on the same subject, dated January 21, 1861, urging an immediate remittance. No response of any sort came to any of these communications, and no funds being furnished me, I have been unable to do anything in the way of farming at any of the reserves; and refer to the separate reports of the agents for further information on this subject.

The dreaded and vicious Snake Digger chief, San Pitch, and his large band, who occupy the country north and along the Oregon line, who are suspected of murdering the company of emigrants last fall, on the Snake river, visited my quarters during the last spring, and informed me that there were several children of those emigrants still alive, and held in captivity by the Bannacks, on the Humboldt river, or in the Goose Creek mountains, west. I appointed Mr. Henrie M. Chase, an experienced and reliable mountaineer, a special agent, and despatched him in pursuit of these captive children, subject to the approval of the department, and with instructions to report to the Commissioner of Indian Affairs. San Pitch and his band promised faithfully to render Mr. Chase all the assistance in their power in accomplishing the object of his mission, and pledged their honor to commit no more murders or robberies on emigrants travelling through their country, which pledge I believe they will faithfully observe, if not instigated by indiscreet persons attached to these companies, or bad white men inhabiting these mountains.

The Indians of Utah, although the poorest and most helpless on the continent, are not so demoralized and corrupted as those who have been brought into closer association with white men in other localities. Infidelity of the wife, or prostitution of an unmarried female, is punishable by death, and but few such acts transpire among them. If the fostering care of the government be liberally extended towards them, proper care and management can and will ultimately bring them under full subjection to the rules and amenities of civilized life.

No farming being carried on at Deep Creek reserve, I did not continue Farm-agent Seven in the service, but owing to the peculiar influence of Farm-Agent Rogers, at Ruby valley, over the Indians, I retained him at a compensation of six hundred dollars per annum. I also retained Jesse Bishop, at the Spanish Fork reserve, at one thousand dollars per annum. The presence of these two useful men at the points designated has exerted a salutary influence upon the Indian mind.

My attention has been directed to generalities and details. Nothing have I omitted which was practicable with the means under my control. The failure of the departure to supply me the means necessary, prevented me from accomplishing anything of importance in farming operations.

The Indians are now all peaceable and entirely friendly with the whites, and

are likely to remain so, unless the interference of white men causes disturbances to spring up among them.

Your obedient servant,

BENJAMIN DAVIES,
Superintendent Indian Affairs, Utah Territory.

Hon. WM. P. DOLE,
*Commissioner of Indian Affairs,
Washington City, D. C.*

OFFICE OF THE SUPERINTENDENT OF INDIAN AFFAIRS,
Great Salt Lake City, Utah Territory, April 20, 1861.

SIR: No official returns of property or accounts have been made to this office by you from the reserves in your charge and under your control; and as I desire to make a complete and full report of all property and proceedings connected with this superintendency to the Indian department at Washington city, I have respectfully to request that you be pleased to furnish me a detailed account of your proceedings as agent for the Corn Creek, San Pete, and Spanish Fork reserves for the third and fourth quarters of 1860 and the first and second quarters of 1861 up to date, together with an accurate list of all the property belonging thereto, at your earliest convenience.

Your obedient servant,

BENJAMIN DAVIES,
Superintendent, &c.

A. HUMPHREYS, Esq.,
Indian Agent, &c.

SPANISH FORK INDIAN AGENCY,
Utah Territory, April 28, 1861.

SIR: Your letter of the 20th instant is received, and for answer I have to say that any reports of official action as Indian agent for the Spanish Fork, Corn Creek, and San Pete reserves have heretofore been made directly to the Commissioner of Indian Affairs, and I am expected to continue to do so in future according to my understanding of recent instructions given to me by him. This I presume renders it unnecessary for me to comply with the request contained in your letter of the above date.

Very respectfully, your obedient servant,

A. HUMPHREYS,
Indian Agent.

B. DAVIES, Esq.,
Superintendent, &c.

No. 50.

OFFICE OF THE SUPERINTENDENT OF INDIAN AFFAIRS,
Great Salt Lake City, Utah Territory, October 1, 1861.

SIR: In accordance with a regulation of the Indian department, requiring me to make an annual report of the situation of affairs in this superintendency, and to prepare estimates for the guidance of Congress in making annual appropriations for the support of the Indians in this Territory, I have the honor herewith to transmit to you my first annual report.

I regret that my arrival in this Territory being of so recent a date, August 6, 1861, rendered it impossible for me to ascertain, as fully as I could wish, the exact condition of all the different bands of Indians in my superintendency.

I have, however, been as diligent as circumstances would permit in finding out, from personal examination and reliable information from parties in whom I place confidence, the wants and necessities of most of the tribes and bands of Indians placed in my charge, and am sorry to say that I found them in a very poor condition, both as regards a sufficient supply of clothing to protect them from the severity of the weather in this mountainous country, and the necessary amount of food to keep them from actual starvation.

Too little attention, I am fearful, has heretofore been paid to the fact that there is very little game in this Territory, of any description, which the Indians can kill to keep them in food. There is no buffalo whatever that range in this Territory, and very few antelope, elk, deer, mountain sheep, or bear, and these only in certain localities.

Civilization seems to have had the same effect here as has been noticed elsewhere in this country since the first settlement by our forefathers, in driving before it the game natural to a wilderness, and the Indians complain bitterly that since the white man has come among them their game has almost entirely disappeared from their former hunting-grounds, and they are now obliged either to beg food from the white settlers or starve.

The driving away of the buffalo not only deprives them of their principal supply of food, but also of a great source of revenue and comfort in the skins, which they sold and used to keep them comfortable in cold weather.

I have had more applications from Indians for beef and flour since I have been here than anything else. They frequently come to me and fairly beg for some beef, to keep their squaws and papooses from starving.

Owing to the limited amount of money placed in my hands, I have been unable to entirely satisfy their demands, but I am confident that what I have distributed in that way has been a great deal more satisfactory to the Indians than three times the amount expended in any kind of trinkets usually disbursed by the department would have been.

The annual appropriation for this superintendency has, in my opinion, always been too small to allow the superintendent and agents to give that satisfaction to the Indians which their wants demand, and a proper regard for the rights and safety of the white settlers, by preventing depredations, requires.

The establishment of the overland daily mail and telegraph lines, and their recent completion through this Territory—consummations of such vital importance to the people throughout the Union—renders it necessary that steps should be immediately taken by the government to prevent the possibility of their being interrupted by the Indians.

On this subject I have taken much pains to consult with most of the leading men connected with these great enterprises, and also with nearly all of the head chiefs of the Indians that range on their lines in this Territory, and have, after mature deliberation, come to the conclusion that the only manner in which this can be effected to the entire satisfaction and protection of all the parties concerned, is by a treaty between the United States and the tribes of Indians ranging in this superintendency.

In recent consultations or "talks" with Wash-a-kee and Sho-kub, the head chiefs of the Shoshones or Snake Indians, Navacoots and Pe-tut-neet, chiefs of the Ute nation, and many of the sub-chiefs of both nations, I find that they are unanimously in favor of a treaty with the United States, and agree with me in considering that to be the only effectual way to check the stealing propensities of some of their Indians; and from information gleaned from them on various occasions, I have made the following memorandum in regard to the probable cost and effect of a treaty.

They express their willingness to cede to the United States all the lands they claim in this Territory, with the exception of reservations necessary for their homes; and ask, in return, that the United States shall make them annual presents of blankets, beads, paint, calico, ammunition, &c., with occasional supplies of beef and flour sufficient to make them comfortable, which I estimate can be done with a small addition to the usual appropriation.

They seem fully to understand the nature and effect of a treaty, and the chiefs agree to hold themselves responsible for any depredations committed by any of their bands, if a treaty should be made, by deducting the amount of damage done from the annuity paid them.

I cannot too strongly recommend this course to the department, and sincerely hope that it will meet with that prompt attention that, to my mind, the importance of the subject entitles it.

I had expected on my arrival in this city, and after assuming the duties of this office, to find matters in a shape that I could immediately proceed to the discharge of my duty towards the Indians, but was very much disappointed; and instead of finding an office properly in order, with facilities for doing business, I could find nothing but an old bundle of papers to show that there had ever been a superintendent in the Territory.

This state of affairs necessarily delayed my intercourse with the Indians until I could procure an office and the fixtures necessary to do business with, which, owing to the exorbitant price charged for everything in this country, and the scarcity of material to manufacture office furniture, delayed me much longer than I had anticipated.

I have, however, succeeded in establishing an office here in a becoming and comfortable style, at an expense much less than has heretofore been allowed for that purpose.

As soon as practicable after my arrival here, I made a visit to the Spanish Fork Indian farm and reservation, in order to ascertain from personal observation the extent of the improvements there, and estimate the amount necessary to carry on farming operations for the benefit of the Indians at that place. The former agent, Mr. Humphreys, had left only a short time before, and there was no one living on the farm at the time of my visit. I found everything in a very dilapidated condition, the place having been cleared of everything that was salable, to buy food for the Indians that congregate around there. Mr. Humphreys had done everything in his power to keep them from suffering, and being short of money, in order to feed them, he was obliged to sell everything movable on the farm, which accounted for the deplorable state in which I found it.

The dam on the Spanish Fork river, which furnishes water to the canal at the farm used for the purpose of irrigating the land, is very badly out of repair and will require some three thousand dollars (\$3,000) expended upon it to put it in a condition for available use, and about a thousand dollars (\$1,000) will be needed to repair the fences, corral, &c., on the farm.

I would recommend the appropriation of these amounts, for the purposes specified, in order to place the farm in a condition to be properly worked next season.

Mr. Hatch, successor of Mr. Humphreys, has just arrived here, and goes to his agency on this farm, and unless some immediate provision is made for repairing the dam, fences, and stocking the farm, there will be nothing for him to do at that agency this winter.

The Corn Creek Indian farm is so far removed from this city, (150 miles,) that I have been unable, for want of time, to make a visit to it myself; but, desiring to be able to report to you the condition of affairs there, I despatched a special agent, Mr. Dyman S. Wood, a very honest and reliable man, to that place, to ascertain what improvements, &c., had been made, and what was needed there, and the following is a copy of his report to me:

SALT LAKE CITY, UTAH TERRITORY,

October 1, 1861.

SIR: In compliance with your request, received on the 27th ultimo, (through Mr. Atwood,) I proceeded immediately to the Corn Creek Indian reservation, in Millard county, in this Territory, and examined the Indian farm on said reservation.

The farm, however, is not enclosed with a fence, as I had previously supposed. The Indians have been compelled to herd their stock, to keep it, as well as many of the horses and cattle belonging to the whites, running in that vicinity, from destroying their crops; in which case they have been known to shoot arrows, wounding some and killing others of those belonging to the whites.

There are no improvements upon the farm whatever, further than ploughing, except a small double log cabin, very much out of repair. The facilities, however, for fencing are very good, as good cedar timber can be procured at a distance of from three to four miles. This could be accomplished at a cost of about two dollars per rod.

In my opinion, the amount of land that would be requisite, and should be fenced, for the demands of the Indians there, would not exceed one hundred acres.

There are two yoke of oxen, belonging to the government, now in the hands of Mr. Peter Robinson, who is acting temporary agent of this farm. With the assistance of these, together with some nine or ten old spades and shovels, they have managed to raise about two hundred bushels of wheat, and two hundred and fifty bushels of corn the present year, without any further assistance on the part of the government.

These Indians, the Pah-Utes, are very industrious, and solicit the aid of the government, in the strongest terms, in their behalf. They complain most bitterly of your predecessors holding out inducements, and making them many promises which they never fulfilled.

If any Indians are entitled to and merit the aid of the government, it is these.

I was further informed that Major Humphreys had taken away many of the implements, such as ploughs, hoes, harrows, and wagons, from this as well as the San Pete Indian reservation, and disposed of them. This has quite discouraged the poor Indians, which causes them to ask if the great father has thrown them away.

Kanosh, their chief, together with some of his men, have now gone to the Navajoes, on a trading expedition, leaving others of his band to thresh and save their grain.

I am, sir, your most obedient servant,

DYMAN S. WOOD.

Major H. MARTIN,

Superintendent of Indian Affairs, Utah Territory.

The San Pete Indian farm I have been unable to visit, but have information through Mr. Peter Boyce, a very respectable, and, I learn, a reliable man, who resides near there, that everything is in a destitute condition.

He thinks that about a thousand dollars, judiciously expended in agricultural implements and repairs, would put the farm in a condition to be of much benefit to the Indians in that section.

He also states that the Indians there are a very peaceable and industrious people, and express a strong desire to do something for themselves in the way of farming, and, he thinks, with proper encouragement on the part of the government, they could be made quite comfortable and contented.

The remaining reservations in the Territory I have not had time to visit, and know nothing in regard to them that would be of service to the department.

The Indians in Ruby valley, on the mail and telegraph lines, west of here, that range near the reservation there, are quite a numerous band, under chief Sho-kub, and are known as the Ruby Valley Snakes.

Their chief, Sho-kub, visited me a short time since, and I learned from him that his bands were much in need of provisions and blankets; the former, especially, on account of the monopoly of the grass in their country by the mail company to feed their stock, which deprived them of the seed which they have heretofore used as an article of food. I am now preparing to make a trip to that section, for the purpose of relieving their immediate wants, and learning more in regard to them.

I have in my possession quite a number of claims against the United States government for depredations committed by the Indians on the white settlers in this Territory, and for articles furnished and services rendered to former superintendents and agents.

I am, according to instructions received from the Indian department, investigating thoroughly into their justice and validity, and will soon report on them, sending the claims to the department to be acted upon.

The goods sent me by the department for distribution among the Indians in this superintendency will fall far short of the amount requisite to keep the Indians from actual suffering this winter, especially the number of blankets, thirteen hundred and sixty-two being the total number sent.

This number, it will be readily perceived, will not begin to be a sufficient supply.

I have already disbursed nearly the whole number, and have yet to supply several large bands, besides the straggling Indians that are constantly calling on me.

I shall soon be obliged to purchase more of these important articles, besides a quantity of ammunition, lead, &c., in order to deal fairly with the Indians, and keep them from suffering.

The total number of Indians in this superintendency at the present time, as near as I can get at it from information in my possession, will not fall short of fifteen thousand, (15,000;) and taking into consideration the protection of the mail and telegraph lines, matters of great importance to the whole country, and in a great measure supplying the Indians in the Territory with beef and flour, in addition to the usual amount of presents given them, I would earnestly recommend an appropriation of not less than sixty-five thousand dollars (\$65,000) for the ensuing year, in order to be able to accomplish these objects and keep a free and uninterrupted intercourse between the Atlantic and Pacific coasts through this country.

Hoping the department will approve of the course so far pursued by me in this superintendency, and consider that the recommendation I have made in this report are the conclusions of mature deliberation, founded on knowledge and belief,

I have the honor to be, very respectfully, your obedient servant,

HENRY MARTIN,
Superintendent.

Hon. WM. P. DOLB,
Commissioner of Indian Affairs, Washington, D. C.

No. 51.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Great Salt Lake City, U. T., May 6, 1861.

SIR: For answer to your letter dated May 3, 1861, requesting my opinion concerning the disposal of certain worthless animals, &c., at the various reserves of Corn Creek, San Pete, and Spanish Fork, and the destitution of the Indians thereat, I have to say that I am entirely destitute of funds, and am unable to supply any means to subsist them. Of their destitution I am well advised; and if they are not furnished means to live, they must and will commit depredations to subsist themselves. If the necessary supplies are not furnished me very shortly I shall deem it my duty to repair to the seat of our national government, and lay the state of the case, as existing here, before the proper department. In the meantime I have to advise that you sell and dispose of all useless articles first, and resort to every means at your command to feed and preserve quiet and order among them, until headquarters can be heard from.

In case I find it necessary to go to Washington I shall place the entire management of the affairs of this superintendency in your hands, and shall leave you to operate as best you may during my absence. Do your best for all concerned until you hear from me again, which shall be shortly.

With much respect, your servant,

BENJAMIN DAVIES,
Superintendent, &c.

A. HUMPHREYS, Esq.

No. 52.

SPANISH FORK INDIAN RESERVATION,
Utah Territory, July 2, 1861.

SIR: Some of the citizens of this Territory have, within the past fifteen days, caused to be surveyed and located, with the avowed intention of settling and cultivating, a part of this Spanish Fork reservation, my notice to desist to the contrary notwithstanding. You will please instruct me as to the proper course to pursue in the premises. Superintendent Davies having left the Territory for the States some days ago, I send by pony express. Please answer by return.

Very respectfully, your obedient servant,

A. HUMPHREYS,
Indian Agent, U. T.

WILLIAM P. DOLE, Esq.,
Commissioner of Indian Affairs.

No. 53.

WASHINGTON, D. C.,
September 30, 1861.

SIR: I have the honor to submit for your consideration this my third annual and final report as Indian agent in Utah Territory.

Referring to my second annual report, dated November 12, 1860, (page 169, Report of Commissioner of Indian Affairs, 1860,) as to the condition of the Indians

in Utah Territory at that time, I now have the honor to submit a few plain facts in connexion therewith, as illustrative of the mutations to which our policy in this regard, not the less rightfully dominant than beneficent, is subjected, and premonitory for information as far as my experience and judgment may render it advantageous.

I am warranted in doing so, from a letter dated July 1, 1861, from Benjamin Davies, superintendent of Indian affairs for Utah Territory, (No. 1, herewith,) instructing me to take charge of the entire superintendency during his absence, and also from the fact that there has been no other agent, besides myself, in the Territory for some time past; and as to a superintendent during the two and a half years of my service as Indian agent, owing to the frequent changes in the superintendency there has not been any over one-third of this time.

The number of Indians in my agency proper is about the same as at my last report. That in the whole Territory is very large. The Indians are exceedingly poor, not less than five hundred of them depending entirely upon the government for food and clothing on account of the almost entire absence of game for them to subsist upon, and absolutely must be cared for and provided with subsistence by the government; and if this be withheld absolute want will impel them to the commission of depredations, and an Indian war will inevitably follow.

Whites (Mormons) have been permitted to take possession of all the valleys in the Territory, wherein, heretofore, the Indians were enabled to procure a subsistence.

It is true, however, that the government has set apart three small reservations to wit: Spanish Fork, containing about fifteen thousand acres, but surrounded by a large Mormon population, who have no particular regard for the welfare of the Indians, from the fact that they have surveyed said reservation with the avowed intention of taking possession of it, as my letter to the department dated July 2, 1861, will show, (No. 2, herewith.) Corn Creek reservation is yet small, closely surrounded by white settlements, which renders it very nearly valueless as an Indian reservation, because of the Indians continually coming into contact with the whites. San Pete reservation is worthless, and abandoned by the superintendent in the spring of 1860. Winter valley has been recently set apart for the benefit of the Indians; and a more humane scheme thus proposed could not have been devised by the government. It is, in fact, the only place of resort for a very large number of Indians.

This valley is extensive in size, and fertile. It will make, with the proper improvements, a fine farming country, besides which, part of the Indians will be removed a hundred miles from the white settlements—proving, thereby, beneficial to both races.

It may be proper here to state that there is a question as to whether the government agents will be permitted to hold and occupy this valley as a reservation, notwithstanding the government has set it apart for the benefit of the Indians, for the reason that the Mormon people, on the 5th instant, were sending out a large emigration of settlers for the purpose of taking possession of it, said to be done by the order of President Young, their prophet. If the settlers should persist in its occupation and retention, it will be impossible for the government officials to do anything without sufficient force wherewith to sustain themselves.

Brigham Young is absolute, so also is his decree, the government's wishes to the contrary notwithstanding, unless more loyal counsels should prevail.

There being no superintendent in the Territory from September, 1859, to November, 1860, more than a year, in consequence of Superintendent Forney's removal, and the delay of his successor in reaching his post, Superintendent Forney having left a large amount of debts unpaid, thereby seriously impacting

the credit of the department, and being not only without a superintendent but without funds to carry on the service, I deemed it my duty to, and did, proceed to Washington in person, to lay before the department the deplorable condition thereof in the Territory, and received from the Commissioner of Indian Affairs, with instructions to return to my agency, five thousand dollars, for the purpose of paying the debts for the fourth quarter of 1860 and first quarter of 1861.

There was a surplus left after paying said debts, but not sufficient for the purpose of cultivating the farms in my agency, and I therefore applied the remainder to the purchase of clothing and food for the Indians, this being necessary from the fact that all the produce raised during the year 1860 had been consumed by employes and Indians.

I was informed by Superintendent Davies, last spring, that he had no funds to furnish me for the purpose of cultivating the farms, and I would, therefore, be compelled to abandon them; and also afterwards instructed me by letter, dated May 6, 1861, (No. 3, herewith,) to dispose of all the government property, for the purpose of supporting the Indians, and supplying the demands upon the service in the Territory.

I did as instructed, and succeeded in keeping the Indians quiet during the past season, and up to the time of my leaving the Territory.

Superintendent Martin having arrived in the Territory in the latter part of last month, (August,) accompanied by Mr. Atwood, the efficient clerk to the superintendency, both of whom promptly entering upon the discharge of the duties newly devolved upon them, thereby relieving me, I left Great Salt Lake City on the 5th instant, for Washington city, bringing with me my accounts for the 4th quarter 1860, and 1st, 2d, and 3d quarters of 1861, for final settlement.

Having done with the limited means at my disposal what I deemed to be right both for the government and the Indians, and feeling the consciousness of self-rectitude in the discharge of all my onerous and burdensome duties imposed by the exigencies resulting from the changes in the superintendency, devolving upon me duties which properly belonged to my superior officers, the predecessors of Mr. Martin, I have the honor to conclude my report by expressing my high regard for the courtesy and kind aid extended to me during my service as Indian agent in Utah Territory by the office of Indian affairs.

Very respectfully, your obedient servant,

A. HUMPHREYS,
Indian Agent, Utah.

Hon. WM. P. DOLE,
Commissioner of Indian Affairs, Washington, D. C.

No. 54.

OFFICE SUPERINTENDING AGENT SOUTHERN DISTRICT,
San Francisco, California, July 14, 1861.

SIR: I have the honor to acknowledge the receipt of your communication of the 17th of April, ultimo, informing me of my appointment as superintending agent for the Indians of the southern district of this State.

In conformity to the instructions contained therein, I executed my "official bond" in the sum of \$50,000, which was placed in the hands of Augustus D. Rightmire, esq., my predecessor in office, and by him transmitted to the department on the 23d of May, ultimo, by pony express.

Having carried out my instructions as far as they appertain to this city, on the 5th ultimo I started, in company with Mr. Rightmire, on a visit to the different reservations embraced within this district, for the purpose of instigating

a thorough examination into their affairs, with a view of reporting their condition and wants at as early a period as practicable.

I now have the honor to report the following as the substance of my investigations:

The Fresno reservation having been abandoned, and the government property remaining thereon removed to King's River farm, it was the first place demanding my attention. The farm is situated on the right bank of King's river, about ten miles distant from the foot-hills of the Sierra Nevadas. It contains three hundred and fifty acres of arable land; is substantially fenced, and otherwise improved by a system of irrigation. As is well known at the department, from the reports of my several predecessors in office, this farm is claimed as the private property of Messrs. William and Edward Campbell, citizens of Tulare county, with whom arrangements have been made from time to time, by the different Indian superintendents, for its occupation by the government.

In order to secure the interests of the Indian service in this region, and in the absence of any alternative for the protection and subsistence of the Indians residing thereon, Mr. Rightmire was compelled to make arrangements with the Messrs. Campbells for its continued occupation. Situated as these miserable people are, in the centre of an advancing white population, who are inimical to them, and opposed to their remaining in their midst, and evince a deadly hostility to their roving propensities, necessity demands some step to be taken calculated to provide them with an abode secure from the intrusion of settlers, and where they themselves can be restrained from committing depredations upon their neighbors' property by the vigilant eye of the government.

While I am aware of the necessities demanding the course pursued by my predecessor, I am fully convinced that it is but a temporary alleviation of their wants, and that their future protection and welfare rest upon the adoption of a policy tending to remove them from their present abodes to homes prepared for them by government beyond the influences of white men.

The King's River farm possesses many of the advantages requisite for an Indian reservation. It does not present that isolation from the white settlements so absolutely necessary to the complete success of the system proposed by the government; nor is the extent of country occupied by it sufficient to meet the habits and wants of a people whose education so tends to migratory existence. Apart from the daily necessities of the Indian in the way of food, he requires space that he may indulge in those wandering propensities of which he is the natural heir. Confinement within the space of two or three hundred acres is to him but as the yard of a prison, in which he soon sickens and dies. King's River farm, then, only offers in its extent sufficient land to cultivate what he absolutely requires for subsistence. The absence of other advantages induces me to seek out a home for them where their range can be extended. With this view my attention was turned to the Indian farm situated on Tulé river, sixty miles further south, and one hundred and ten miles from the Tejon reservation. This farm is located up the Tulé River bottom, and contains a few acres of good land, which has been cultivated by Indian labor under circumstances similar to King's River farm. It is claimed as the private property of Thomas Madden, esq., of this city. Its immediate vicinity to the foot-hills of the Sierra Nevada renders it a desirable residence for the Indians, besides possessing most of the advantages presented by the King's River farm. In consideration of the fact that this place can be obtained from Mr. Madden at a rate far below the price demanded by the owners of the King's River farm, I propose, through the approbation of the department, to secure it for the temporary use of the Indian service, and to remove as many of the Indians as possible from the King's River farm and its vicinity to it. The latter place will then be abandoned, and the Indian service in this district be released from one source of expense. Apart from the advantage immediate to the department, this step presents it as the

first towards the adoption of a policy which I am convinced will eventually be forced upon the government—the concentration of the numerous bands of Indians now scattered throughout this district upon one or more permanent reserves. The natural course of the Indian emigration, as it is gradually crowded out by civilization and settlement, is southward. When once collected upon Tulé River farm, the Tejon next offers the inducements of a home to them, where, with proper management, they can be permanently maintained and protected by the government.

I know of no other tract of country within this district proposing the advantages for the purposes so much desired as the Tejon reservation. It is situated immediately within the junction of the Sierra Nevada and the Coast range of mountains which bound it on three sides, while its front is protected from settlement by an open arid plain known as the Kern River desert. The quantity of land enclosed within the grant upon which it is situated exceeds twenty-five thousand acres, apart from the extended mountain range it presents to the Indian. A large portion of this land is susceptible of a high state of cultivation, and the whole presents one of the finest ranges for stock of all kinds to be found within the limits of this State. Under a judicious system I am confident this place can be made self-sustaining, and that all the Indians in this district north of it can be concentrated upon it, and supported with little expense to the government after the first year's sufficient appropriation to establish it. I am sorry to report that at present it presents all the evidence of decay and mismanagement. Nothing of any importance in the cultivation of the land has been done this season. The Indians are left dependent upon their own efforts for subsistence, which is gained in a few instances by the cultivation of small patches of ground on their own account.

Under these circumstances it is impossible to correctly estimate the number of Indians belonging to this reservation by the number present, as many are, no doubt, driven to the mountains in search of those necessities denied them on the reserve. The same obtains with the number of Indians who are ranked as belonging to the King's River and Tulé River farms.

The amount of public property remaining upon the several farms, as exhibited in my returns, is small, and is much worn. A very considerable appropriation will be required to replace them for the necessary operations the coming season.

By reference to the reports of Hon. J. Y. McDuffie, late superintendent of Indian affairs, and superintending agent, it will be seen that the greater portion of the appropriation for the fiscal year ending 30th June, 1860, was expended on the northern portion of his superintendency, its necessities demanding his greater attention in consequence of the rapid occupation of the country adjacent to the northern reservations by white settlers. Again: his efforts to advance the interests of the southern reserves met with many obstacles and hindrances, the particulars of which have often been reported to the department by special agents whose duty it was made to inquire into their condition. Hence the small amount of property remaining on hand at present is mostly the refuse of what was supplied by Colonel T. J. Henley, late superintendent, or his predecessor, E. F. Beale, esq., the best of which being the remainder of what was supplied by the latter gentleman. Nothing of substantial importance has been purchased of late years. In consideration of these facts, it appears to me that the Tejon reservations, in particular, is entitled to a new outfit of animals and agricultural implements, with which, I am confident, a satisfactory return can be made in the future operation of the reservation. This outfit, to be complete, will entail an expenditure of from \$1,500 to \$2,000.

I am particularly anxious to call your attention to the necessity of revising the law now existing regulating the employment and payment of employes. The number of hands required on a large reservation, like all extended farming enterprises of a private character, depends greatly upon the season and circum-

stances—the first in a great measure regulating the demand. During the season of planting and harvesting a larger number of assistants are required than during the remainder of the year, when the discipline and control of the Indian is only required to be attended to, when the four employés provided by the present law are amply sufficient.

With a sufficient force of white men to supervise and direct the farming operations of the reservation during the busy seasons of planting and harvesting a greater number of Indians can be kept at work and amount of ground ploughed and planted, at the expiration of which seasons the extra white laborers can be discharged. In this manner the extended lands the Tejon reserve offers for agricultural purposes can be availed of, and sufficient produced to relieve the government from the necessity of purchasing articles of subsistence for the Indians.

The present law also provides that a sum “not exceeding \$50 per month should be paid employés.” Apart from the fact that this sum being less than the current rates of labor in this State for farmers, the consideration of the isolated situation of the southern reserves, rendering the transportation of provisions on their own private account very expensive, (for they are compelled to subsist themselves, the issuing of rations having been prohibited by the department,) renders the procuring of suitable persons for the sum indicated impracticable. Again: the necessities of the reservation system in this district demand the services of the best class of farmers, the sparsely settled condition of the adjacent country rendering the replacing of any one who may have proved himself incompetent or unworthy extremely difficult and embarrassing, and which necessity too often occurs among those persons who are willing to work for “under wages.”

I desire to suggest that the law be revised so as to confine the number of employés within the discretion of the Commissioner of Indian Affairs, as circumstances may demand, and that the allowance per month be made not to exceed \$75 per man, and that, in addition thereto, rations be allowed to employés permanently residing on the reservation as well as those who may be temporarily employed during the seasons indicated.

As yet it has not been in my power to visit the entire district intrusted to my charge. The Indians residing in the vicinity of San Bernardino, San Diego, and along the sea-shore of the more southern portion of Los Angeles county I am happy to say, are reported as being peaceably inclined and contented. It is my intention to visit these tribes at the earliest practicable moment, when I shall report to the department my views regarding the best method of providing for their necessities, and of affording them the protection for which they are now indebted to the forbearance and generosity of the community among whom they live. The extreme southern portion of this district, the Colorado and Mojave country, will, in due time, receive my attention. As the Indians residing there are under, however, more particularly, the surveillance of the military force stationed there, are kept in a state of quiet. Not having been yet subjected to any reservation system, my operations in that region can only be advisory.

It affords me great pleasure, on the present occasion, to bear testimony to the prompt action of Colonel A. D. Rightmire, my predecessor in office, in placing me in possession of the public property belonging to this district, and to his desire to facilitate my efforts in furthering the interests of the public service.

Very respectfully, your obedient servant,

JNO. P. H. WENTWORTH,
Sub-Agent Southern District of California.

Hon. WM. P. DOLE,
Commissioner of Indian Affairs, Washington, D. C.

No. 55.

OFFICE SUPERINTENDING AGENT SOUTHERN DISTRICT OF CALIFORNIA,
San Francisco, California, October 10, 1861.

SIR: In rendering my report to the department for the quarter ending September 30, 1861, I beg respectfully to call your attention to the annual report I had the honor to transmit under date of July 13, 1861.

Since entering upon my duties as superintending agent for this district my efforts have been necessarily confined to a rigid inspection of the affairs of the department, with a view of devising the best means of restoring that order and system in its conduct so necessary to the success of my efforts in advancing the mutual interests of the Indian and government.

The great demand that has been made upon our government of late, consequent upon the existing war, has, no doubt, impeded the efforts of the Commissioner to provide me with the funds necessary to carry on the business of the different reservations. With a full knowledge of these embarrassments, I have avoided incurring any debts on account of the Indian service, and have, as stated, as far as practicable, confined my labors to the reorganization of my district, so that the greatest advantage may arise from an experienced administration of its affairs, so soon as the means to operate are provided. I am confident the department will approve of the course I have pursued as one not only calculated to protect the administration from future embarrassment, but from a further complication of the indebtedness for which the Indian service in California is already responsible.

In this report I am led from the investigations I have made to suggestions which, if adopted by the Commissioner, will tend greatly to facilitate my efforts to advance the interest of the department, and to enforce the law laid down for the government of the Indian territory set apart by the government.

As I have already reported, none of the reservations in this district are located upon public lands. The "Tejon," a place eligibly located for Indian purposes, is the private property of a gentleman residing in Los Angeles. Tulé River farm, a location to which large bands of Indians are warmly attached as the home of their nativity, is held by Mr. Thomas Madden, of this city, who has from year to year rented it to the government at no small sacrifice to himself. The Colorado district embraces a large extent of territory, inhabited by numerous bands of wild Indians requiring the careful and constant attention of a supervisor. This district is, perhaps, the most important field of operation within this superintendency, in view of the future interests of this State, as the vast mineral developments in these regions will, ere long, bring the Indians in contact with the whites. This, in connexion with their superior ability as a race to those with whom we have heretofore had to deal, will require the most careful attention and judicious exercise of ability on the part of the agent in charge, that the horrors of war and Indian massacres, of which this coast has, in years past, been the theatre, may be avoided in the future.

The Tejon reservation presents much that is desirable for Indian purposes, and if owned by the government can, I am confident, be made self-sustaining.

I beg most respectfully to call the attention of the Commissioner to the importance of making some permanent arrangement for the continuance of this reservation, as at present great embarrassment is experienced from the want of federal jurisdiction. In connexion with this suggestion, it may not be out of place here to urge upon the department the importance of the "*intercourse act*," as enacted by Congress for the government of Indian territory, being extended to the reservations in this State. I am confident the State of California, through her legislature, can be easily induced to relinquish her jurisdiction over territory

set apart for Indian purposes, that their interest and welfare may be advanced. At present there is no law defending agents and supervisors, in the performance of their duties, against the advancements and encroachments of a class of whites who are always inimical to their interests. The intercourse once extended over the reservations, many of the obstacles which have hindered the successful operation of the system proposed by the government will be removed. I beg to call the attention of the department to this subject, and to be advised of the course I am to pursue with the State authorities, that the efforts of the Commissioner may be effectual in its accomplishment.

I am compelled to report that but little has been done on the reservations since my entering upon the duties of this district, for the reasons already stated; yet all has been done that could, under the circumstances, have been expected. The different supervisors have been diligent in their efforts to keep the Indians contented and happy; and it affords me pleasure to state that they have been so far successful as to insure peace and quiet throughout my superintendency.

I would call the attention of the department to the diseased condition of many of the Indians of the Tulare valley, caused by too free intercourse with debased whites. The importance of medical aid in the premises I trust will be seen; and in this matter I desire instructions from the department.

I shall immediately leave here upon a *tour* of inspection through the entire district under my charge, being more than eight hundred miles in length. I shall, while absent, visit the Owens River country, where it is reported there are fine grazing lands, all of which belong to the government. Here, with the permission of the department, I propose to locate a reservation, and give up *entirely* the *system of renting farms*.

Your obedient servant,

JNO. P. H. WENTWORTH,

Superintending Agent Southern District of California.

Hon. WILLIAM P. DOLE,

Commissioner of Indian Affairs.

No. 56.

OFFICE INDIAN SUPERINTENDENT NORTHERN DISTRICT OF CALIFORNIA,
Yuba City, July 15, 1861.

SIR: I have the honor to inform you that my bond was duly executed, and I took the oath of office, according to your instructions, May 27, 1861. June 1st: I set out in person to present my bond to my predecessor. Failing to find him at his office in Red Bluff, I hastened to the Nome Lackee reservation, where I learned from the person in charge that he had started on a tour of the reservations in the northern part of the district. I immediately set forward in pursuit of him, and visited all the reservations, travelling more than a thousand miles, but failed to find him. Returning to my office in *Yuba City*, I found a letter from Mr. Dribelbis, informing me that he was in San Francisco, waiting for my arrival, where I at length found him, on the 12th instant. This much it appears necessary to state in explanation of the tardiness of my report, which would otherwise have been forwarded at an earlier date.

None of the government property has as yet been formally transferred to me *by my predecessor*; but I condense the results of the observations made and the information gleaned during my recent tour.

NOME LACKEE RESERVATION.

At this reservation there is no land enclosed or under cultivation, the buildings appear neglected, the floors of some of them having been torn up and carried away. A portion of the land formerly embraced within the boundary of the reservation, on which the reservation mill is located, has been taken possession of by parties who claim to have acted, as I understand, under the sanction of Colonel Henley, who was superintendent at the time. They have since laid school warrants on the land and converted to their own use the buildings, lumber, &c. I am informed that the parties holding the lands thus segregated from the reservation seized upon the teams and farming implements belonging to the government, which they still retain, and refuse to surrender. They have also succeeded, under a law of this State, in getting a considerable number of the most able-bodied Indians indentured to them for terms of ten or fifteen years. (Enclosed please find a list of the parties implicated and the names of the Indians retained in their service, and also the judge before whom the transaction was consummated.) The few teams are old, and the wagons remaining are entirely expended, and not one implement is left, except a dilapidated threshing machine, for which I receipted to Mr. Geiger about the 10th of June.

The Nome Lackee is valuable for small grain, but little worth for vegetables. The location is not desirable, being surrounded by white settlements, and exposed to all the influences which result from the contact of the two races. There is no fencing timber within twelve miles, and no fishery. The entire reservation is at present overrun with the stock of the white settlers. To carry on the reservation with efficiency, an appropriation of at least \$20,000 for fencing, teams, and implements, will be indispensable.

The Indians, which formerly numbered from two to three thousand, being left destitute of food and clothing, have mostly scattered to their former homes and retreats, where, from their wider distribution, food is more easily procured. The number at present on the reservations does not exceed two hundred.

I beg to suggest that this reservation should be resurveyed, according to the proclamation by which it was originally set apart; and if it can be done without any infraction of law, (as it certainly can be without any violence to justice,) that it be set back to its original boundaries.

KLAMATH RESERVATION.

This reservation is well located, and the improvements are suitable and of considerable value. There is an abundance of excellent timber for fencing and all other purposes, and at the mouth of the Klamath river there is a salmon fishery of great value to the Indians. The number of Indians here is not far from eighteen hundred.

The lands in cultivation amount to some three hundred acres, on which are growing wheat, barley, oats, corn, pease, potatoes, carrots, and beans. Six hundred acres more could easily be brought into cultivation.

The buildings are in tolerable condition, and of sufficient capacity for present demands.

The teams are old, and the farming implements are so worn as to be nearly useless. An expenditure of \$2,500 is imperatively needed for teams and utensils alone.

I suggest, as this reservation has never been surveyed, that it should be so laid out as to embrace the island and fishery at the mouth of the Klamath, and extend a mile in width each side of the river, to a point one mile above Wakel, and half a mile in width each side of the river, from that point to the mouth of Trinity river.

The troops having been withdrawn from Wakel station, I suggest the buildings and lands occupied and cultivated by them should be turned over to the uses of the reservation, as this post is located on the most valuable portion of the farming land.

MENDOCINO RESERVATION.

This location was wisely chosen at the time, but permission was given to certain parties by the superintendent to erect a saw-mill at the mouth of the No-Yo river, near the southern boundary. The result has proved deeply injurious to the Indians in two ways: in the first place, it has destroyed their valuable fishery at the mouth of the No-Yo; and in the second place, it brought in a large number of white men, whose influence is anything but improving to the morals of the Indians. A considerable portion of the enclosed land lies so exposed to the cold coast winds as to be comparatively unproductive.

From three to four hundred acres of land are cultivated the present season, and there are tolerable crops of wheat, rye, barley, corn, potatoes, carrots, and peas.

The teams here, as elsewhere, are too old for effective service, and the farming implements are virtually worn out. An appropriation of \$2,500 is necessary at this point also.

The buildings are pretty well kept. The troops at this point are worse than useless, and I suggest that it would be wise to remove them, and turn over the buildings which they now occupy to the uses of the reservation.

The number of Indians here at present is about one thousand; as is true, as in other reservations, they are nearly destitute of clothing.

ROUND VALLEY RESERVATION,

is situated about sixty miles in a northerly direction from Mendocino. It is walled in with high mountains, and contains about nineteen thousand acres of well-watered land, two-thirds of which will yield a rich reward to the cultivator. The supply of timber is ample for all purposes and all time.

The whole of this beautiful valley has been surveyed for an Indian reservation. Previously, as is alleged, permission to persons to settle on certain portions of the land was given by Colonel Henley. There are at this time from twenty to twenty-five farms, some of which contain over a thousand acres, enclosed and cultivated mainly by Indian labor. These farms are occupied by perhaps fifty white men and three white women, and the improvements are worth some fifty thousand dollars. There are also a number of persons engaged in surveying some moist lands within the valley, with a view to taking them up as "swamp and overflowed lands." I wish instructions as to the course to be pursued with such persons.

The stock of the whites overrun the valley. If a few cattle or sheep are missing, (which easily happens with such herdings as they have,) the Indians are accused of stealing, as a matter of course, and are treated with violence. A very large majority of the whites are unmarried men, who constantly excite the Indians to jealousy and revenge by taking their squaws from them. In a word, it will be impossible to govern and inform the Indians unless these white inhabitants can be altogether removed from the valley.

The present settlers express a willingness to remove, on condition that the government will pay them for their improvements. I suggest the expediency of a commission to appraise their improvements, and that the government purchase them at a fair valuation, especially as the improvements are eminently useful. A grist mill is much needed in the valley.

The valley, as I have stated, is surrounded by mountains. Enclosed please find a rough draft or plat, which will help you to a definite idea of its situation.

I suggest, as of the first importance, that, by a *special act of Congress*, the entire valley and the adjacent wilderness should be set apart exclusively for the use of the Indians, for tillage and hunting grounds, so that the reservation shall be bounded by the main ridge of mountains on the northeast, and by a line running, at all points, half a mile north of the north branch of Eel river, till the two lines meet below the junction of the two streams, comprising a boundary not exceeding twenty-five miles square.

I also suggest that the troops be withdrawn from the Round Valley reservation, and from all the other reservations, *and that the working force on this and the other reservations be so increased as to become a self-protecting force, furnished with arms.*

The salary of laborers should be so increased as to enable the superintendent to employ men with *small families*, and whose wives would engage to teach the squaws useful and improving lessons, whose influence would be every way better than that of single men. It is my deliberate opinion that in this way the government would reduce its expenses, while it would greatly enhance the efficiency of the Indian department on the coast.

I beg your particular attention to the practicability and expediency of removing the Indians from *Nome Lackee* and *Mendocino* to Round Valley. If the preceding suggestions can be carried out, it will leave enough for them all, and for all the wild Indians that can be gathered in this beautiful and secluded valley, where they would in a good degree be removed from those pernicious influences which have so long embarrassed the Indian work. The value of the land and improvements on the two reservations named would, if sold, exceed the amount necessary to purchase the improvements of the white settlers in Round Valley, and to restock the two reservations which would remain.

The Indians who remain on the reservations appear to labor cheerfully, with almost no want but food, clothing, and tobacco; they are easily controlled, and on a removal from associations with vicious white men they are capable of rapid and permanent improvement.

I suggest the necessity of employing on each of the reservations a blacksmith and a physician. The smith should be capable of repairing the wood-work of wagons, ploughs, and the like. These additions to the force are indispensable, but they cannot be employed for fifty dollars per month. I wish permission to engage competent persons at a somewhat higher salary, and such as have small families. Men can be employed as laborers at fifty dollars per month; but the men needed for the work will require seventy-five dollars. With this reasonable increase of salary I should be able to secure men of good character and experience, whose wives would instruct the girls and women, not only in useful arts, as making their own clothing, &c., but also teach the children in the rudimentary branches of education. I greatly desire permission to experiment at least in this direction.

In the frontier portions of Humboldt and Mendocino counties a band of desperate men have carried on a system of kidnapping for two years past: Indian children were seized and carried into the lower counties and sold into virtual slavery. These crimes against humanity so excited the Indians that they began to retaliate by killing the cattle of the whites. At once an order was issued to chastise the guilty. Under this indefinite order, a company of United States troops, attended by a considerable volunteer force, has been pursuing the poor creatures from one retreat to another. The kidnappers follow at the heels of the soldiers to seize the children when their parents are murdered and sell them to the best advantage. During my recent visit to Round Valley a hundred of the fugitive Indians came voluntarily into the reservation for protection. A large number could be induced to come in if I had means at my disposal to prosecute the work.

It is my settled conviction that an appropriation of one hundred and fifty

thousand dollars per annum for one year would place the reservations on a self-sustaining basis in every respect, except the salaries of officers: provided the surplus products were allowed to be exchanged for clothing, farming implements, &c. A general complaining exists on the part of employés, who are now and some who have been on the reservations for two years past, and also some who have filled requisitions for the necessary supplies from time to time, as against the government for the non-payment of wages and goods. It is desirable that such claims should be adjusted and paid as early as possible. Enclosed please find a letter to me from one of the agents at Klamath reservation, desiring that I should place this matter before you.

Except a sufficiency of money is placed at the disposal of the superintending agent to clothe the Indians, furnish them with tools and teams, thereby encouraging them to enlarge their farms and cultivate them, and also to bring back the fugitives now wandering off in the vicinity of their old homes, as well as those who are now being hunted down like wild beasts and killed, it will be impossible to succeed in this noble cause of humanity, which has been well commenced, but very badly managed by some of my predecessors. A great number of wild cattle, which were purchased for the use of the Indian reservations several years ago, remain yet in the possession of the ex-superintendent, Colonel T. J. Henley. The milch cows, horses, mules, and hogs, the number and quality of each, I must defer until my next report.

There is a sufficiency of wheat, corn, rye, oats, barley, potatoes, pease, beans, beef, and pork, on the different reservations (except Nome Lackee) to feed the Indians until the new crop is harvested. Their blankets and clothes, however, are worn out, and unless money is provided the creatures must suffer or leave the reservations, to be hunted down and killed by the whites or kidnapped and brought into slavery.

I beg to call particular attention to the laws of this State providing for "indenturing Indians," and the sad effects produced by kidnapping under cover of such laws, and I suggest that Congress should in due time provide a remedy.

In conclusion, allow me again to urge the propriety of an ample appropriation at once to enable the superintendent to carry out the purposes herein suggested, which would reduce the number of reservations, remove the Indians entirely from contact with the white race, which I find is indispensable especially to the health of the Indians, (many of whom are seriously diseased by said contact; increase the laboring force, and their wages to seventy-five dollars per month, thereby reducing the expenses, by the removal of troops and transfer of their stations to the use of the reservation.

To recapitulate the estimated sum that is indispensable for this purpose, I will say:

For the purpose of restocking three reservations with additional teams, ploughs, and other necessary farming tools, say.....	\$7,500
For the purchase of the settlers' farms in Round Valley, and expenses of a survey of the proposed enlargement.....	55,000
For the removal of Indians from Nome Lackee, and wild Indians in the mountains, say 4,000 souls.....	-----
For clothing, blankets, fish nets, &c., for 8,000 Indians for one year, at the rate of \$5 each.....	40,000
For salaries of officers and employés, consisting of a superintending agent.....	3,000
Three supervisors.....	5,400
Fifteen laborers, at \$75 each per month.....	13,500

Three blacksmiths and wagon and plough makers, at \$75 each per month	\$2,700
Three physicians, at \$75 each per month	2,700
Total	<u>155,400</u>

It will be seen by making this change it will not increase but diminish the aggregate number of employés, especially if reduced to only the Klamath and Round Valley reservations; and then the removal of all the troops, (which, in my candid opinion, would only be necessary as against the whites trespassing upon the reservations, and mixing with the whites,) thereby greatly reducing the aggregate amount of expenses annually incurred on account of Indians, would also materially improve the condition of that unfortunate race, and make the reservations a desirable and happy home, which has hitherto been so repulsive to their thoughts that death itself would to many of them be preferable.

I have the honor to be, your obedient servant,

GEO. M. HANSON,

*Superintending Agent Indian Affairs,
Northern District of California.*

Hon. WILLIAM P. DOLE,
Commissioner of Indian Affairs.

CRESCENT CITY, DEL NORTE COUNTY, CALIFORNIA,
June 26, 1861.

SIR: I would most respectfully call your attention to the amount of funds which will be actually necessary to settle up the indebtedness which accrued under my administration as Indian agent on the Klamath reservation, and would earnestly request you to lay the subject before the Indian department, and urge the placing of funds to my credit, to enable me to close my accounts with said department. The amount requisite for said purpose is \$5,790.

Very respectfully, your obedient servant,

D. E. BUEL,
Indian Agent.

Hon. G. M. HANSON,
*Superintending Agent Indian Affairs,
Northern District of California.*

No. 56½.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, August 7, 1861.

SIR: You have been appointed special agent of the Indian department, connected with its affairs in California, Oregon, and Washington Territory, and, having accepted that appointment, and filed in this office your official bond, satisfactorily executed, it only remains for the department to furnish you with some general instructions, as the nature of your mission is such that much must be left to your well-matured judgment and knowledge of Indian character to guide you in the discharge of your duties when you shall have arrived at your starting point in California.

As the great object of your mission is to restore peace and harmony between the whites and Indians in northern California, it is expected that all reasonable

and prudent means will be resorted to by you to secure a state of things so desirable; and, in this connexion, I have to advise that the superintending agent of the district, George M. Hanson, esq., has been addressed upon the subject, and informed that steps had been taken to procure the co-operation of the troops stationed the most convenient to him in his efforts to suppress alleged outbreaks between the whites and Indians, and to restore peace and quiet among them.

You will therefore put yourself in communication with Mr. Hanson with a view of availing yourself of his co-operation in the enterprise you have undertaken, and of affording him also the benefit of your advice and experience in Indian affairs, that, by concert of action between you, the best result may be obtained.

You are also instructed to visit all the Indian tribes on the coast where there appears to be difficulties arising between them and the white people, and take such steps as, in your judgment, are best calculated to restore peace, and, at the same time, assure the Indians that it is the settled policy of the government to *protect them* so long as they are peaceable and act in good faith toward the whites.

It has been represented to this department that most if not all the difficulties that have arisen between the whites and Indians in California were, in the first place, instigated by mischievous, idle, and vicious white men, and it is believed and expected that you can put a stop to these wicked raids on the helpless red men of that coast; but, if to do this will require further legislation by Congress, you will be expected to make such suggestions in the premises as the character and condition of things shall dictate. Humanity calls for a change in the condition of things connected with our Indian affairs on that coast, as well as the extensive and numerous frauds which it is believed have been yearly practiced and charged to the government. It is also believed that great injustice has been done the government by an overestimate of the number of Indians residing in California, with the view of obtaining large appropriations, and the establishment of agencies where they are really unnecessary. You are therefore instructed to procure a full and reliable statement of the total number of Indians in that State, and also the number of men, women, and children. It is also desirable to procure the same information in Oregon and Washington Territory, provided time will permit before the meeting of the next Congress.

Your own judgment will suggest the propriety as well as the necessity of great caution on your part to avoid all misunderstanding or unkind feelings between you and the superintendents and Indian agents located in the countries you are expected to visit.

The nature of your mission does not necessarily come in contact with the duties further than the extension of mutual aid in promoting the public good.

The necessary steps have been taken to have placed in your hands the sum of \$500, from the appropriation "incidental expenses of the Indian service in California," for which you will account accordingly; arrangements will however be made through the respective superintendents to supply you with additional funds from time to time, as they are earned, also to provide means, if necessary, for feeding the Indians when they shall be assembled to meet you.

Your compensation will be at the rate of \$5 per diem, to commence on the day you leave your residence in California to proceed on the discharge of your duties, and, while travelling in the execution thereof, you will be allowed your actual necessary travelling expenses, for which you will take vouchers when practicable, and when impracticable keep an itemized account of the same, to be rendered to this office with your accounts.

In conclusion, I have to remark that the department will expect that the business with which you are instructed will not be unnecessarily prolonged, and, as at present impressed, I am of opinion that the mission you have undertaken

may be satisfactorily closed in ninety days from the time you leave your residence in California.

Very respectfully, your obedient servant,

WM. P. DOLE, *Commissioner*.

Dr. ELIJAH WHITE,

Special Agent, Lovejoy's Hotel, New York.

No. 57.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Portland, Oregon, September 25, 1861.

SIR: In compliance with the regulations of the department, I have the honor to submit my first annual report, with accompanying papers.

Having so recently assumed the duties of this office, (scarce two months since,) I have not been able to visit any of the agencies, or to make myself acquainted with the condition of the various reservations in the jurisdiction.

Two of the agents have resigned, and the vacancies been filled by special appointment from this office, of which you have been heretofore duly advised.

The retiring agents did not feel disposed to submit any report; while those newly appointed, not having sufficient time to acquaint themselves with the wants and condition of the Indians under their charge, have not been able to furnish this office with the information desired.

Owing to this, my position is rather awkward and embarrassing, leaving no other resource from which to draw than my own personal knowledge of the country and the general character and condition of the Indians.

I entertain no fears of any outbreak or hostilities being evinced by any of the Indians now located on the reservation and enjoying the benefits of treaty stipulations. Some trouble, however, may reasonably be expected owing to the fact that some evil-disposed persons have endeavored to impress upon the Indians' minds that we have no government; that their "Great Father" will not pay them anything more for their lands or give them any more presents. These communications are made to the Indians in a clandestine manner, with a view, no doubt, to incite them to hostilities.

I can conceive of no other object they could possibly have in view by so doing. Where this influence has manifested itself, every precaution has been taken to counteract it.

In some instances Indians have left their reservations and returned to their old haunts, where they must necessarily steal or starve; and an Indian is not likely to hesitate which of these to choose. The Indians of Rogue river, with whom we have had so much trouble in former times, are the principal ones that have abandoned their reservations, and unless they are speedily returned, will induce many others to go, and give the settlers in that locality much annoyance and trouble.

I have accordingly appointed a special agent, with instructions to call upon Captain F. T. Dent, commander at Fort Hoskins, for a military escort to proceed at once to Rogue river, and, if possible, to collect and return these fugitives to their respective agencies.

From the well known and determined character of some of these Indians, I am fearful that the agent will meet with resistance; but should his mission prove successful, and the Indians be induced to return to their agencies, I am confident the peace, order, and confidence heretofore prevailing can be fully restored, provided the stipulations of the treaty are faithfully observed.

On the 14th day of August I received from A. P. Dennison, Indian agent for the Indians in middle Oregon, a communication informing this office that two

white men had been killed and robbed in the Cascade mountains, in the vicinity of Barlow's Gate, together with others in the vicinity of Tych valley.

Agent Dennison proceeded with all possible despatch to investigate the affair, which resulted in the discovery of three bodies, and satisfactory information that other murders had been committed in the immediate vicinity and the bodies secreted. These facts were reported to Captain Whittlesey, of Fort Dalles, who promptly detailed a detachment of dragoons to accompany Agents Dennison and Logan in their search for the murderers. They called upon one of the chiefs and obtained such information as would implicate several Indians, some of whom had already escaped. One was shot in endeavoring to escape; two others were arrested by soldiers and employés at the reservation. Demand was made upon the chief for the arrest and delivery of those who had escaped. This demand has been complied with, and all the Indians in any way connected with these outrages have been arrested, and are now awaiting their trial. In consideration of the services of the chief Huckup, who acted so promptly in discovering, arresting, and delivering these criminals, I have directed Agent Logan, now in charge of that agency, to make him a present of a horse and some clothing. He is very poor, having been robbed by the Snake Indians of all his property.

Great credit is due Agents Dennison and Logan for their commendable promptness, as well as the energy which they have displayed in ferretting out the murderers and bringing them to justice. The Indians, in their confession, say that they committed the murders for the purpose of procuring money with which they could buy *whiskey*. I trust that the example which will be made of them will deter others from committing similar offences.

The Indians located on the Warm Springs reservation, and under the charge of Agent Logan, are at present quiet, and, with the exception of the above-mentioned acts, nothing has transpired in that agency showing discontent or insubordination.

The report of Agent Abbott, in charge of the Umatilla reservation, shows the Indians in his charge to be in a very prosperous condition. He reports the aggregate wealth of the Cayuse, Walla-Walla, and Umatilla Indians at \$185,000, consisting principally in cattle and horses. The Indians confederated and located on this reservation are far superior in point of intelligence to any other tribes in Oregon. The Cayuse and a large portion of the Umatilla evince a natural taste for agricultural pursuits and a great desire to acquire a thorough knowledge of all that appertains thereto.

Four hundred and seventy acres of land are reported to be in cultivation, with prospects of good crops. The liberal stipulations made with these tribes cannot fail to place them in a thriving and prosperous condition. Attention is called to Agent Abbott's report, and especially to that portion referring to the failure or neglect of the department to remit the funds which should have long since been forwarded. This unnecessary delay on the part of the government places the agent in a very embarrassing position indeed. I have called the attention of the department more particularly to this in another portion of my report.

In connexion with the treaty stipulations made with these tribes, it was agreed that a wagon road should be "located and opened from Powder river or Grand Ronde to the western base of the Blue mountains, south of the southern limit of the reservations."

This road is now being "located and opened," and should nothing occur to retard the work, will be completed early next spring, and in good order for the incoming immigration of next year.

The stipulations authorizing the locating and opening of this road were certainly wise, and well calculated to result in great practical good to the Indians as well as the settlers in Umatilla valley.

The old road from "Lee's encampment" passes directly through the south-west portion of the reservation, and many serious difficulties would, in all prob-

bility, have occurred had not provision for the road been made; but this road, being located some fifteen miles further south, will prevent any difficulty on account of the intermingling of their stock, or any other cause. In regard to the policy which I have adopted in "locating and opening" this road, you have already been advised.

There is one difficulty, however, to contend with in the management and care of these Indians located on the Umatilla and Warm Springs reservations.

Recent discoveries have proved conclusively that extensive gold deposits exist in the immediate vicinity of these reservations. This will undoubtedly induce hither many adventurers in search thereof, among whom we may reasonably expect to find many bad men and a great deal of *bad whiskey*; neither of which have the least tendency to promote their well-being or advance them in civilization.

There can be nothing more detrimental to the Indian service than the introduction of these two evils among the Indians on reservations, or even those outside. Were it not for these we might cherish a strong hope of making some advancement towards civilization; but as long as they are tolerated or countenanced, even in the vicinity of reservations, no beneficial results can be expected. A great many *enterprising* individuals with limited capital have established themselves at trading posts in the vicinity of the reservations, and contend that, inasmuch as they are not *on the reserve*, that the agent cannot interfere or molest them; yet the evil consequences which result from their presence is as keenly felt as if the trader was firmly established in the agent's house, and acting under authority of law.

The law provides that, in order to make it penal, the whiskey or other liquor shall be disposed of "*in the Indian country.*" It certainly is very defective if a person can be allowed to vend and dispose of his whiskey when but a few yards from the boundary of the reserve, and not come within the purview of the law. It should be stopped at all hazards.

SHOSHONES OR SNAKES.

This formidable band occupy the eastern portion of the State. The character and habits of this tribe have been so ably and correctly described by my predecessor, Mr. Geary, in his last annual report, that it would be useless for me to attempt any further description concerning them. Of their actual number but little is known. One thing is certain, however: that they are a much-dreaded and powerful foe, and each succeeding year only adds to their wealth and power. They are rapidly accumulating arms, ammunition, and horses, and as long as they are permitted to commit their depredations on citizens immigrating to this State, or passing through their country, without any other effort being made to check them than is made by the immigrants in their own defence, we may expect a repetition of the murders and robberies of other years.

Efforts have been made by the military in several instances to punish them for their oft-repeated acts of violence, yet in almost every instance they have ignominiously failed. The Indians have evaded them, and no sooner had they returned to their quarters than the Indians, elated with their success in evading them, sought a favorable opportunity to satiate their desire for robbery and murder. A communication from this office under date of October 4, 1860, communicating the intelligence of a bloody massacre at Salmon Falls, affords ample evidence that such has been the case.

In order to avoid a similar disaster, and to guarantee protection to the emigrants, Congress at its last session appropriated fifty thousand dollars to provide an escort for such as might desire to avail themselves of it. The benefits resulting from this very liberal appropriation by Congress has not yet been fully realized. Large parties of emigrants have already arrived in middle and south-

ern Oregon, but no intelligence whatever, up to this date, has been received from those coming under the protection of the government escort.

In regard to the proper course to pursue towards these Indians, I am somewhat at a loss to suggest. I am satisfied, however, that a much less sum judiciously disbursed in the purchase of presents and other articles for their benefit would be much better calculated to suppress these continued forays upon weak parties of emigrants, and conciliate their good will, than all temporary escorts.

No attempts have ever been made to obtain their friendship or good will, except by my predecessor, Mr. Geary, last summer, and even then no preparations were made by which any permanent benefits could be expected.

I am well satisfied that Mr. Geary, in his efforts last year to establish friendly relations with those Indians, made a serious mistake by availing himself of the protection of the military expedition going into their country. This precaution was not, in my opinion, very well calculated to produce favorable results. Every military expedition heretofore entering their country have gone for the express purpose of chastisement, and even in this instance, according to Mr. Geary's own report to the department, under date of May 14, 1860, one of the principal objects of the expedition was "to impress a salutary fear on these marauders." The very presence of a military force was evidence to them that their intentions were hostile. The consequence was, that the Indians evaded him, sought every opportunity to annoy and harass the troops, watched every movement, followed close on the heels of the military on their return, and as soon as they were fairly out of sight pounced upon Warm Springs reservation and stole all their stock.

I do not speak of this with any design of reflecting in any way or manner upon the course pursued by Mr. Geary. I firmly believe he acted in good faith and with an earnest desire to promote the general prosperity of the country by establishing such relations with those Indians and the government as would guarantee safety to the lives and property of our citizens while passing through their country. I only refer to it to show that inasmuch as he failed in his efforts some other course must be adopted in order to accomplish the desired object.

The necessity for prompt and immediate action, by which friendly relations can be established, is more apparent now than at any former time. The resources of the country are fast being developed. All of the available land east of the Cascade mountains, susceptible of cultivation, is fast being occupied. The recently discovered gold mines on the Gyhee, Malheur, and Burnt rivers will attract hither many hardy pioneers who, in search of further and more extensive deposits, will explore every mountain gorge accessible to men.

In view of these facts, and to guarantee protection to the lives and property of such of our citizens as may be engaged in these explorations, I would recommend an appropriation of twenty-five thousand dollars, to be expended under the direction of the Superintendent of Indian Affairs, or some other person duly authorized by the President, to negotiate with these Indians for the right to travel through their country and to mine therein without interruptions.

I have every reason to believe that amicable relations can be entered into with them, and that they will faithfully observe them.

Major John Owen, Indian agent among the Flatheads, informs me that he has conversed with the principal chiefs among these Indians at various times in regard to their acts of violence towards the whites. They justify their conduct towards the Americans by saying that we have never "talked with them; have never given them any presents; have not even broke tobacco with them, or smoked with them, while the Blackfeet and other Indian tribes have had presents from our people for the privilege of making roads through their country."

I do not propose with this appropriation to enter into a perpetual treaty for their lands, but merely to secure free and uninterrupted travel through and the right to mine therein.

Should this subject meet with a favorable consideration by Congress, and the necessary funds be appropriated for its accomplishment, I would recommend that measures be taken to collect them together early in the spring, and have an understanding prior to the time when the miners would resume their operations, or the approach of the emigration.

For further information in regard to the Indians in southeastern Oregon, I would respectfully call your attention to the report of Agent Lindsay Applegate. Mr. Applegate has lately visited that country, and is well qualified, from his thorough knowledge of Indian character, to judge of their immediate wants, while his suggestions and recommendations are worthy of consideration.

I desire to call your special attention to the condition of the Indians on the coast reservations under the charge of Agents Newcomb and Brooks.

By reference to their reports you will discover that, out of 2,572 Indians now located on these reservations, only 259 are parties to any treaty. The attention of the department was called to this matter by my predecessor, Mr. Geary, in his last annual report, but from some unknown cause no provision whatever was made for them. These Indians are all embraced in the treaty of August 11, 1855, and include all the tribes on the coast from the Columbia river in the north to the southern boundary of Oregon.

They were removed to their present locality by Sub-agent Joshua B. Sykes, by order of the Commissioner of Indian Affairs, dated September 3, 1859. From the time of removal up to the present they have been subsisted and otherwise provided for out of such funds as were at the disposal of the superintendent and applicable to the purpose. No special appropriation, to my knowledge, has ever been made for their benefit in lieu of treaty stipulations. They have acknowledged their dependence on government, have abandoned their homes, and removed to the reservations, relying implicitly on the faith of the government to comply with the stipulations of the treaty. These stipulations have never been fulfilled, and no reason assigned to the Indians why government has failed so to do.

They have been located on the reservations some two years, during which many liabilities have been incurred by Sub-agent Sykes, which should have been discharged long since.

Owing to the meagre appropriations for the service in this State during the present fiscal year (scarcely adequate to meet current expenses) it is impossible for this office to provide for their immediate necessities or further wants without incurring other liabilities, which I feel reluctant to do without instructions from the department authorizing the same.

Taking into consideration the promises which have been made to these Indians at the time of negotiating these treaties, together with those made by the agents subsequent to their removal, it is certainly due them that *some* provision be made, which will guarantee and secure to them equal rights, privileges, and benefits with those now under treaty.

Superintendent Geary, in his last annual report, suggested that it was not desirable that these treaties should be ratified. I do not myself find that it would be policy to ratify the treaties at this time. I feel well assured that if the same benefits, advantages, and comforts were extended to these Indians as are now enjoyed by those under treaty, confidence would be restored, and that all murmurings, complaints, and symptoms of insubordination would cease.

I hope that this matter will be duly considered by the department, and such recommendations be made to Congress in their behalf as may seem proper and just.

The Indians on the Grand Ronde reservations have been, since the 5th of August, under the care and supervision of James B. Condon, special Indian agent, appointed by this office to fill the vacancy occasioned by the resignation of John F. Miller.

The report of Agent Condon gives a detailed statement of the condition of that agency. Owing to the late day on which this report was received, I am unable to give it that consideration which it deserves.

I desire, however, to call your special attention to the condition of the property lately turned over to the present agent. All the mechanical tools are worn out or broken; out of twenty ploughs only two are reported as fit for use. The wagons are out of repair, while the horses and mules are not worth wintering. The saw and grist mills both need repairs, and even the agency buildings are in a dilapidated condition.

I regret very much that such discouraging reports are submitted, especially from agencies that have received as liberal appropriations as that of Grand Ronde.

I have submitted in my annual estimate the amount which will be required for repairs on the mills and for the necessary fixtures to make them complete, which I trust will meet your approval.

Other repairs are very much needed, yet I hope by strict economy to be able to accomplish all that will be necessary out of the appropriations already made.

I would call your attention to the treaty stipulations with the Umpquas and Calapooias, of Umpqua valley, of the 29th November, 1854. The second article of this treaty provides that the United States shall pay to said confederated bands the sum of two thousand and three hundred dollars for the term of five years next succeeding the first five.

By reference to the laws and appropriations for the two past years you will observe that Congress has failed to comply with this stipulation. I have estimated for this deficiency, and trust that you will embody the same in your estimate for the ensuing fiscal year.

Close observation of the workings of the reservation system convinces me that sufficient encouragement has not been given to those who evince a willingness and desire to acquire a permanent home. All the treaties provide that the President may have discretionary power to cause the whole or any part of the reservations to be surveyed and assigned to such Indians as desire to avail themselves of the benefits resulting therefrom.

They also provide that such rules and regulations may be prescribed as will secure to the family, in case of the death of the head thereof, the possession and enjoyment of the property thus acquired. This provision is well calculated to benefit the Indians, and had sufficient encouragement been given them at an early day, and a fair proportion of their annuities expended in stock, agricultural implements, and articles given them as their own individual property, with instructions how to use the same, and assurance given that all benefits and profits arising therefrom should inure to their own personal benefit, I am confident that the reservation would exhibit more thrift and general prosperity than they do at present.

The Indians have but little property, if any, of their own, except such as they have acquired through their own exertions. There may be a few exceptions to this, but, as a general thing, the entire annuity fund has been expended for articles required for the general use on the reservation, and not for individuals or heads of families. All the agricultural implements, farms, &c., are taken up and accounted for by the agents. It is true that the Indians are allowed the use of these articles when not otherwise engaged, but they should know and understand that these beneficial objects were designed for their use and control.

In some instances Indians have made improvements of a permanent character, and have labored assiduously for the comforts of a home.

Every inducement, therefore, should be held out to them, and every facility offered to enable them to procure their own subsistence, acquire property, and obtain a permanent home. The introduction of fruit trees on the several reservations should have received the attention of those in charge long since. It is

apparent that disbursements for such beneficial objects as these are well calculated to promote the well-being of the Indians, and show an intention on the part of government to provide something for their benefit that will yield an income when the stipulations of their treaty are expired. I am confident that there is no other article that could be procured that would yield a quicker and more abundant return, and none that would be more acceptable or more highly appreciated by the Indians.

This would be one important step towards civilization. It would render their homes attractive. It will be a permanent and profitable investment, and one well designed to break up their wandering habits. There can be no question as to its practical workings or beneficial results; it commends itself to every intelligent mind without further argument.

I would therefore recommend an appropriation by Congress of twenty-five thousand dollars for the purchase of forty thousand fruit trees, and to provide for the transplanting and culture of the same on the several agencies, for the term of two years. These trees to be distributed among the several agents according to the population of the Indians under their charge.

Your attention has been heretofore called by my predecessor to the impropriety of disbursing in the Atlantic States the appropriations made by Congress for beneficial objects. This course has been pursued ever since the ratification of the treaties, and still continues to be faithfully observed, notwithstanding the objections and remonstrances of the superintendents and agents thereto.

It was undoubtedly intended, by the wording of the treaty, that the annuity should be for *beneficial objects*, to be expended under the direction of the President, for such articles as in his judgment would promote their well-being, advance them in civilization, for their moral improvement and education, build-ings, and opening farms, purchasing beans, &c.

The articles forwarded have invariably failed to give satisfaction to the Indians. They are of inferior quality, unsuited to their wants or tastes. Besides, it consumes the entire annuity fund for "beneficial objects," and a large portion of the "incidental fund," to transport these articles to the place of distribution. No good can possibly result from such a course, but, on the contrary, great loss. Better articles can be obtained in this market at a less price, and such as are adapted to their wants. This fund should be husbanded and disbursed for objects calculated to benefit the Indians, and not in such transparent trash as has usually been received.

One half of the amount, judiciously invested in the purchase of articles actually required, suited to their tastes, and applicable to their wants, would render more satisfaction, and would have a greater tendency to promote their well-being and advance them in civilization than the whole amount expended in the manner which it is.

The policy adopted at present only tends to embarrass the operations of the agent, and create in the Indian's mind the impression that there is a deliberate intention on the part of government to defraud them out of their lands.

I have no reason to suppose that any facts which I might present for the consideration of the department would induce this ruinous policy to be abandoned, when all the efforts of my predecessor have proved futile. Yet I cannot feel conscious of having discharged my duty without presenting a true statement of existing facts, and pointing out the evil consequences which will inevitably result from further attempts to force upon them annuities which they are unwilling to receive. Dissatisfaction and discontent already exist among the Indians on account of such impositions, and should any overt act of hostility be committed by the Indians on account thereof, the responsibility must rest where it properly belongs, and not chargeable to this office, nor the people of this State.

I cannot close my report without calling the attention of the department to the necessity of being prompt in the remittance of such funds as have already, or may hereafter, be appropriated for this superintendency. Only a portion of the funds appropriated in 1860 have, as yet, been received; and had the remainder been remitted at the proper time, there would be no necessity of entering any complaint at this time. It cannot be expected that public business can be conducted on as economical a scale without funds as with them, especially in a country where money commands three per cent. per month.

It is due the employes of the department that they should be punctually paid at the close of every quarter, and that all articles purchased by the superintendents or agents should be promptly paid for at the time of purchase. Without funds it is impossible to comply with this rule, and in almost every instance, where purchases are made on credit, we must necessarily pay a large percentage on account of the delay in receiving their pay. • There are instances here in this jurisdiction where parties hold certified vouchers for services, supplies, and transportation furnished to the department years ago, and still remain unpaid. This is wrong as well as unjust.

No debts should be contracted exceeding the appropriation, while the department should see that the superintendent receives that which was designed be should receive in good time in order to meet the expenses of the superintendency.

I am, sir, very respectfully, your obedient servant,

WM. H. RECTOR,

Superintendent Indian Affairs, Oregon.

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington City.

No. 58.

SETELY INDIAN AGENCY, OREGON,

August 15, 1861.

SIR: I have the honor herewith to transmit my second annual report of affairs at this agency.

Since my last report I have made some improvements in the way of building potato houses, quarters for Indians, &c., but have not been able to do as much as was required, on account of not having funds to purchase building material.

The crops for this year, with the exception of the wheat, will be about as good as last. The wheat was injured materially by the long continued rain during the spring, and will not be an average yield; it is also very much injured by smut. It will be necessary to procure fresh seed wheat for next sowing; the raised here this season will not be fit for that purpose.

We raised this year about 235 acres of wheat, 550 acres of oats, 400 acres of potatoes, and about 30 acres of turnips. Peas were sowed, but owing to the bad quality of the seed are almost an entire failure. Cabbages and other garden vegetables are raised by some of the Indians.

Before commencing farming operations this fall it will be necessary to procure some fresh work oxen. Some of those on hand now were old when they were brought here, and are now totally unfit for any further service.

The health of the Indians has been good, as a general thing, during the past year. Considerable sickness prevailed among them during the first spring months, in consequence of their eating green roots, &c. With that exception, though, they have been as well as their habits and manner of life will admit.

In my last report I referred to the fact that in consequence of the treaties

with the coast tribes of Indians not having been ratified much dissatisfaction existed among them. That feeling, instead of diminishing, is steadily increasing, and it has been with great difficulty that I have succeeded in pacifying them thus far, and I fear unless some immediate action is taken with regard to them it will be utterly impossible to restrain them.

These tribes constitute by far the greater portion of the Indians on this reservation. There are but two tribes, viz: the Chasta Scoton and Rogue River, with whom treaties have been ratified. These are in regular receipt of their annuities, and with them I have no difficulty. They are peaceable, and apparently perfectly contented, while the others complain, and with apparent great justness, that though treaties were also made with them, and they gave up their lands and came here to live, thus fulfilling their part of the stipulation, they are receiving nothing that was promised them on the part of our government. I would respectfully and urgently suggest that some immediate action be taken for their relief; either that their treaties be ratified, new ones made with them, or special appropriation be made, that will place them on an equal footing with the other tribes. Unless this is speedily done, I fear it will be impossible to keep them under control; that they will return to their old homes, (now, in many instances, settled and occupied by white families,) with feelings embittered by what they consider the bad faith of the whites. Should this occur, it will cost the government vastly more to subdue them again, and bring them in, than to provide for them here now; besides, probably, involving considerable loss of life and property to our citizens.

I regret to be obliged to report unfavorably of my school. Though the children exhibit a capacity for learning, it is impossible, while under the control of their parents, to get them to attend school. I have, therefore, abandoned it for the present.

The mills referred to in my last report as in course of erection, viz: a grist-mill and saw-mill, have been completed, and have been of great benefit during this year. The non-arrival of the funds appropriated for that purpose has caused me considerable embarrassment. But \$5,000, half of the sum appropriated, has been received.

Before making the usual fall purchases for annuities, present goods, &c., I would respectfully suggest the advantage to be derived both to the Indian and the government, in purchasing blankets and most of the articles of clothing from goods that are manufactured here, instead of, as has heretofore been done, procuring those made in the eastern States. In making my purchases last fall I obtained a small quantity of blankets made at the woollen factory at Salem, which cost less than the eastern made, were superior to, and gave greater satisfaction to the Indians than any I have before received. Instead of purchasing their pants, shirts and other articles ready made, cloths, flannels, and yarn for socks might be procured from the said woollen factory, and their clothing be made up by Indians on the reservation. I have several who can make all these articles now, and there are plenty who can soon be taught.

This course would furnish the Indians better articles than they have usually received, at a much less cost to the government; besides which, it would inculcate habits of usefulness to themselves, which, of course, is one of the principal objects intended by our present system of reservations.

I herewith transmit a census of the various tribes of Indians located on this agency, to wit: .

Tribes under treaty.

	Men.	Women.	Children.	Total.	Horses.	Cattle.
Rogue River.....	42	49	52	143	22	.....
Chasta Scoton	20	28	68	116	12	3
Total.....	62	77	120	259	34	3

Tribes not under treaty.

	Men.	Women.	Children.	Total.	Horses.	Cattle.
Coquill.....	55	71	95	221	19	2
Macanootna	49	84	114	247	8	2
Noltanana	14	17	40	71	3	.....
Tootootna.....	44	54	70	168	14	3
Slxes.....	32	41	53	126	2	4
Joshua.....	41	63	84	188	14	4
Flores Creek.....	11	13	34	58	.....	.....
Chasta Costa.....	48	59	107	214	10	3
Port Orford.....	5	12	17	34	10	1
Eucler.....	34	57	86	177	12	4
Chetcoe.....	62	96	104	262	13	3
Total.....	395	567	804	1,766	105	28

RECAPITULATION.

Number of Indians under treaty	259
Number of Indians not under treaty.....	1,766
Total number of Indians on reservation.....	2,025

Very respectfully, your obedient servant,

DANIEL NEWCOMB, *Indian Agent.*

W. H. RECTOR, Esq.,

Superintendent Indian Affairs, Portland, Oregon.

No. 59.

GRAND RONDE AGENCY,
September 10, 1861.

SIR: In obedience to the requirements of the Indian department, I have the honor to submit my first annual report.

On taking charge of the mills, on the 9th day of September last, I found that the grist-mill had never been entirely completed; and although in a condition to grind, the bolting apparatus was entirely insufficient.

The bolting-chest is too short, being only nine feet and seven inches in length, and the bolting-cloth is so fine that it will not bolt more than one-third as fast as the burrs will grind. I would recommend the replacing of the present bolting-chest and cloth with entirely new ones. The bolting-chest ought to be at least twenty-four feet in length to enable the mill to make good flour. Elevators are also needed to connect the burr with the bolt. At present the flour has to be carried up by hand, making a great deal of unnecessary labor, and causing much suffering by the Indian women, who usually bring the grain to the mill. There is also a smut-mill, which has never been used, for want of a rolling screw, elevators, and gearing. The greater portion of the wheat raised by the Indian contains more or less smut, and cannot be manufactured into flour fit for use without being properly cleaned.

Glass and sash are needed for twelve windows in the grist-mill building to prevent injury from exposure to the weather.

The saw-mill requires a new flutter-wheel, and to have the carriage-way repaired.

The water last winter washed under the dam, near the east abutment, and unless it is repaired before the high water of the coming winter there is great danger that the whole dam will be carried away. And while the dam remains in its present condition neither the grist nor saw mill can be used unless there should be a great increase of water in the stream.

I have also acted in the capacity of farmer for the Umpqua and Rogue River Indians since the 9th of September last, and attended to the hauling and threshing of the grain raised on the farm cultivated by the Indian department for the benefit of those Indians. There were raised last year on said farm four hundred and two bushels of wheat; this year none at all. In consequence of orders from the superintendent of farming, I sowed no wheat on the department farm last fall. I was directed to let the Indians have the use of the government teams and farming implements, and induce them to put in on their own farms as much wheat as possible. The Indians have this season harvested some more wheat than they did the last. I am unable to give the number of bushels raised by them this year, as the wheat has not yet been threshed. I was also directed last spring by the superintendent of farming, and by John F. Miller, esq., who was at that time Indian agent on this reservation, not to sow either spring wheat or oats on said government farm under my charge. Last year the department raised about one and one-half acres of potatoes for the use of said Indians, and for seed. This year about two and a half acres, which now look very well, and promise a fair crop.

Judging from the quantity of wheat raised by the department and Indians under my charge last year and consumed by the Indians, and the quantity raised this year, I am confident there will be a very large deficiency, and that unless these Indians receive assistance from the government there will be great suffering among them, which will fall most severely on the women and children, as the men can go off the reservation and work among the whites, and thus to some extent relieve their suffering.

Since I have had charge of the farming operations of these Indians they have

shown considerable industry, and evinced a desire to adopt the habits of civilization, and I have little doubt but that with proper encouragement and instruction they will in a very few years be able to support themselves by their own exertions. The number of oxen, ploughs, and wagons among them now is entirely inadequate to their wants. There are of the Rogue Rivers thirty families, and they have only four yoke of oxen, and of the Umpquas about fifty-six families, who have but eight yoke of oxen.

I would recommend the immediate purchase, for their use, of at least five additional yoke of oxen and three wagons.

Estimate of repairs of mills and mill-dam, and purchase of oxen and wagons.

For labor and material on grist-mill	\$550 00
For labor and material on saw-mill	100 00
For labor in repairing mill-dam	100 00
For the purchase of five yoke of oxen	400 00
For the purchase of three wagons	450 00
	16,00 00

HENRY WM. EAD,
Miller and Sazzyer.

J. B. CONDON, Esq.,
Indian Agent, Oregon.

No. 60.

UMATILLA AGENCY, Oregon, September 10, 1861.

SIR: I have the honor, in compliance with the requirements of the Indian Bureau, to present this my third and last annual report.

One year since I took charge of this agency, at which time there was nothing done on this reserve. This reservation was set apart by the treaty of the 9th June, 1855, for the Walla-Walla, Cayuse, and Umatilla tribes of Indians, but no improvements were made until last summer. The Indians were scattered and it required considerable quiet perseverance to collect them. Some of the Walla-Walla tribe preferred the Simcoe reservation in Washington Territory, and several families of that tribe have never removed to any reserve.

I am happy to report that we have had no trouble of importance with our Indians, except some depredations committed on the property of citizens of the United States last winter by a band of outlaws of the Walla-Walla and Umatilla tribes, which was duly reported to your office at the time, and for which indemnity claims have been presented by the sufferers. An abstract of these claims, accompanied by affidavits, have been forwarded through your office to the department.

There is a marked difference in the characteristics of the tribes on this reservation, and I deem it proper and just to notice the difference for the information of the department.

The Walla-Walla tribe, or a majority of them, are indolent, superstitious, drunken, and debauched, and but little can be done for the moral and intellectual improvement of the present generation at least. They have no recognized chief, consequently I have retained in my hands the funds appropriated for the benefit of the Walla-Walla chief, except the cost of fencing and breaking

ten acres of land, which I deemed a necessary expenditure. The total wealth of the tribe in personal property will approximate to thirty thousand dollars.

The Cayuse tribe are an industrious and wealthy people, and, intellectually, are superior to the great mass of Oregon Indians. Their wealth consists principally in horses and cattle. Of the former they own large droves, approximating to about five thousand head, worth about eighty thousand dollars. Their cattle I estimate at eight hundred head, worth ten thousand dollars, while their arms, household goods, &c., may be valued at fifteen thousand dollars, making an aggregate of one hundred and five thousand dollars to a population of three hundred and eighty-four souls. This tribe take great interest in agricultural pursuits, producing the present year a sufficiency of wheat, corn, potatoes, and garden vegetables for their own consumption. Under proper instruction in the industrial pursuits and a well-regulated school, they will make rapid advancement in civilization. A portion of the Walla-Walla tribe, who live with the Cayuses, are of similar character, but are not possessed of so great proportionate wealth.

The Umatilla tribe are neither so high in the scale of intelligence, wealth, and industry as the Cayuse, nor so debased and poor as the Walla-Wallas. They are quite manly, and evince a disposition to engage in agriculture to a limited extent, but they have not done much the present year. They are still dependent chiefly on fish, game, and wild roots for a subsistence. Their wealth in personal property will approximate to fifty thousand dollars.

The following table will show the number of Indians of this agency to whom annuities were issued and the estimated number that have not removed to the reserve nor received any benefit of the treaty:

Walla-Walla tribe, 61 men, 76 women, 32 boys, 40 girls.....	209
Cayuse tribe, 96 men, 139 women, 81 boys, 68 girls.....	384
Umatilla tribe, 90 men, 138 women, 58 boys, 54 girls.....	340
Estimated number of Walla-Wallas off the reserve.....	120
Umatillas off the reserve.....	35
Total.....	1,088

We have advanced improvement on the reserve in building, opening farms, &c., as far as I deemed expedient, with the limited means placed in my hands for that purpose. The blacksmith shop and a building for wagon-maker's and carpenter's shop were erected and put in operation as early as possible last winter. A building intended for both saw-mill and flouring-mill was begun early, but in consequence of the heavy fall of snow on the mountains, where the necessary timber was procured, I was compelled to suspend work on it from early in March until the 14th May. It is, however, well advanced; the building is being raised, the race cut, and the machinery for the saw-mill is ready for setting up as soon as the building is prepared for it.

We have a hewn log storehouse and office, seven log dwelling-houses for employes, a good log stable, and wagon shed, together with corrals and outhouses. A sufficiency of wagons, ploughs, teams, farming implements, and mechanical tools has been provided for present use. About four hundred and seventy acres of land, in the aggregate, have been put in cultivation, and crops promise fair yield.

The school-house and hospital, together with a few buildings for employes, have not yet been erected, as I thought it advisable to delay such buildings until lumber could be cut at the mill, when good houses can be built at less expense than heretofore. These considerations and the failure of the department to remit the one-half of the funds appropriated under treaty stipulations for the last fiscal year determined me to confine operations to such branches of

the service as appeared most essential for the well-being of the Indians and efficiency of the service. The schools authorized by treaty and provided for by appropriation have not been opened for the aforesaid cause.

There is no mission in the reservation, but the reverend fathers of the Roman Catholic mission located at the Dalles visit the agency occasionally and appear actuated by a laudable interest in the spiritual welfare of the Indians, many of whom are devout Catholics, and fully appreciate the kindness of the fathers.

I beg leave to call the attention of the department to the very injurious and embarrassing consequences of the failure to forward the funds appropriated under treaty stipulations.

It has been with the greatest difficulty that I have retained my employés, or obtained supplies on the government credit, and at times I have thought that I would be compelled to suspend operations on the reserve; the ruinous consequences of which have only been averted by great exertion on my part. I have contracted liabilities approximating to twenty thousand dollars. When the principal contracts were let last winter there was no apprehension of a delay in payment.

All supplies and services for this agency were furnished at cash prices, and payment should have been promptly made.

The health of the Indians on the reserve has been comparatively good, and they appear well satisfied with the policy of the government.

For a more detailed account of the sanitary condition of the Indians, and of farming operations, I refer you to the enclosed documents.

Very respectfully, your obedient servant,

G. H. ABBOTT,
Indian Sub Agent.

WM. H. RECTOR, Esq.,
Superintendent of Indian Affairs, Portland, Oregon.

No. 61.

GRAND RONDE AGENCY,
September 10, 1861.

SIR: In obedience to the requirements of the Indian department, I have the honor to submit my first annual report.

I entered upon the discharge of the duties of superintendent of farming on the 21st of August last, and have not had sufficient time to acquire all the information in relation to the business under my charge which it might be desirable for me to give.

Much of the fencing on the farms enclosed by the Indian department, and under my charge, needs repairing, in order to make the fields secure. The crops this season have been very light, being principally volunteer wheat and oats. The land was so foul as to seriously injure the grain.

From the limited attention I have been able to give the subject, I am inclined to believe that the soil on this reservation is naturally moderately productive, and with proper drainage, deep ploughing, and summer fallowing, the land can be made to produce fair average crops of grain. Both the soil and climate appear to be well adapted to the growth of most kinds of the more hardy vegetables.

The potatoes now growing on the reserve, that have been properly cultivated, promise a fair crop.

There were given in charge to me twenty ploughs—nine cast and eleven wrought iron—all of which, with the exception of two, are unfit for use. The four harrows received by me are in tolerably good repair. Among the seven wagons

two only can be used without an expense in repairing almost equal to that of purchasing new ones.

Of the stock on hand, three of the five horses are not worth the expense of wintering. The three mules are also unfit for service, being old and entirely worn out. There are eleven yoke of good work oxen, in fine condition. The yokes and chains are in good repair.

I would recommend the immediate purchase of a good saddle horse, for the use of the superintendent of farming; of an additional number of wagons, and of twenty good ploughs. Both the wagons and ploughs ought to be made much stouter than for ordinary use.

Very respectfully, your obedient servant,

GEORGE M. OVERMAN,
Superintendent of Farming.

J. B. CONDON, Esq.,
Indian Agent, Oregon.

No. 62.

GRAND RONDE AGENCY,
September 11, 1861.

SIR: In accordance with your instructions, I have the honor of submitting the following report.

At the time I took charge of the blacksmith shop, on the 8th day of August last, it was much out of repair. Brick forges, with flues sufficiently large to carry off the sparks and cinders, are needed, as a security against fire. Glass windows and a plank floor are necessary to render the shop comfortable, as it is now very dark, and the ground will become damp after the winter rains commence.

In regard to the tools: I was surprised to find them so completely used up. Out of eight hammers I found not one in good repair. There are two small stocks, without a set of taps or dies to either. It is impossible to get along without one large and one of small size. Two monkey-wrenches, one large and one small size, are also needed, there being no wrenches of any kind in the shop. With the hammer you purchased, and with some repairing, there is a pretty good set of shoeing tools. One half dozen horse rasps are needed.

The gunsmith tools are in a very bad condition, and there are not enough of them to do the work required.

The stock of iron and steel on hand is principally of large size, and only suitable for heavy work. A supply of small iron and steel is necessary, as without suitable materials both labor and coal are wasted. An addition of at least one thousand bushels of coal to the present stock will be needed for the current year.

As there is great demand for new work—such as mattocks, hoes, wedges, &c.—besides much heavy repairing, I find it impossible to get along without an assistant, and would respectfully ask for the appointment of one as soon as practicable.

There will be required for blacksmith and gunsmith shops for the current year—

For the purchase of tools.....	\$75 00
For the purchase of iron and steel.....	350 00
For the purchase of coal.....	200 00
	625 00

All of which is respectfully submitted by your obedient servant,

E. S. MERRIL,
Blacksmith.

JAMES B. CONDON, Esq.,
Indian Agent, Oregon.

No. 63.

ASHLAND MILLS,

Jackson County, Oregon, September 13, 1861.

SIR: Your communication of September 3 I received yesterday, and in accordance with your wishes I will give you all the information I can on this important subject.

I am fully satisfied, as I have before stated, of the importance of the establishment of an agency in the Klamath or Goose Lake country. An establishment there would not only protect the settlements of Southern Oregon and Northern California, but would have a good effect in protecting the travel on the different roads leading through that country. It would protect the emigrants passing by the three different travelled roads to the Pacific, owing to its central position to different roads. The country extending east from the Klamath to the head of the Humboldt, and from the northern boundary of California to the Blue mountains on the north, contains many fine valleys which are bound to become valuable for stock raising and agricultural pursuits. The appearance of the country generally is favorable for gold and silver, and I think the country much favored by being sheltered by the Blue mountains on the north.

This country is thickly inhabited by Indians; the greater portion, from the Klamath east, is inhabited by the Snake tribe, who are very numerous, inhabiting both sides of the Blue mountains, and have, from time to time, committed outrages on emigrants passing through their country. Being so remotely situated, they have escaped the punishment they so justly merited. From some point in the Klamath country they could be kept in subjection. Since the settlement of the Pitt River and Honey Lake country a great many Indians have been driven north, in the direction of the Blue mountains. From the statements of the Modocks, there are a great many Indians east of their country.

All these Indians could be collected on the same reserve with the Modocks and Klamath Lake Indians.

These Lake Indians object to being removed from their country, but say they would be willing to sell a portion and still remain on a portion.

It is impossible to judge of the number of Indians in this region. I judge from what I have seen and the Indian accounts, that a thousand or five hundred of the Lake Indians could be collected in one place, and a good many from the surrounding country belonging to other tribes. These lakes abound in the finest of fish, the surrounding marshes and low lands in wild rice, and the adjoining valleys in roots and wild game; so that their means of subsistence are abundant.

A portion of the Indians east of these lakes I think will require considerable dragoon service before they can be managed; but I believe their country will admit of the best and cheapest military road from the South Pass in the Rocky mountains to the Pacific, from Camp Stuart, in Rogue River valley, by passing between the two Klamath lakes, thence by the head of Lost river, thence by the north end of Goose lake, and intersecting the emigrant road near the head of the Humboldt at the City of Rocks. A portion of this route I have never been over, but from the best information I can get on the subject I believe it practicable. It would avoid the Blue and Cascade mountains on the north, and the alkali regions of the Humboldt on the south.

I have but little time to reflect on this subject, wishing to forward my report in due time, so you will please excuse the shortness of my communication.

I remain, very respectfully, your obedient servant,

LINDSY APPLGATE,

Special Indian Agent for Southern Oregon.

Hon. WM. H. RECTOR,

Superintendent Indian Affairs, Portland, Oregon.

No. 64.

GRAND RONDE AGENCY,
September 14, 1861.

SIR: In accordance with your instructions, I have the honor of submitting the following report upon the present physical condition of the Indians in this agency;

From my recent occupancy of the situation of resident physician, I will attempt nothing more than a brief sketch respecting the sanitary condition of these people, name a few of the prevalent diseases, and make a few suggestions for your consideration.

I have been astonished to find these Indians so generally affected with that urse, the syphilis. The effects have become visible in the emaciated form and premature decrepitude that mark the victim. It is not confined to the present generation, but its impress is seen upon those who have been born with the baleful entailment that follows this disease. The untutored mind of the Indian does not easily comprehend how certainly that law of our physical nature must be fulfilled; that the succeeding generation must bear the penalty for violated physical law by their progenitors. Certainly these innocent victims are entitled to our deepest sympathy and best efforts to prevent a further spread of this calamity.

In addition to the above-mentioned disease, I find rheumatism, diseases affecting the mucus membrane, of the air passages, of the skin, and of the eyes, of frequent occurrence. With the above exceptions, I find these people as free from disease as the human family ordinarily are. The extreme humidity of the atmosphere in this locality in the winter season makes properly enclosed buildings necessary for health, of which I find many destitute. For comfort, cleanliness, and especially to prevent nightly sleeping on the ground, I would recommend wood floors for their houses. As an inducement to cleanliness, and as an auxiliary to prevent and get clear of cutaneous diseases, that are now very troublesome, I would especially invite your attention to the propriety of a liberal supply of soap; for many purposes the common soft soap would be preferable. These people are in great want of cooking utensils, consequently their food is badly prepared.

The pocket case of instruments handed over by my predecessor consists in one pair of forceps, two knives—both entirely worn out—and three tenaculums, one broken. This department is entirely without instruments. A pocket case is indispensable, and amputating instruments may be necessary.

For instruments, medicines, &c., we shall need for the current year, as follows:

For instruments.....	\$30
For medicines, corks, vials, wrapping paper, thread, and one-half dozen half-gallon jars.....	100
Hospital stores:	
Sugar.....	100
Rice.....	50
Tea.....	75
	355

The above is respectfully submitted.

WM. MILLER, *Physician.*

J. B. CONDON, Esq.,
Indian Agent, Oregon.

No. 65.

GRAND RONDE AGENCY,

September 16, 1861.

SIR: In compliance with the regulations of the Indian bureau, I have the honor of submitting the following report:

On taking charge of this agency, on the 5th of August last, in obedience to your instructions of the 1st ultimo, I found no books or papers in the office which gave me any knowledge of the mode of conducting the business; nor was I successful in my endeavors to retain in the service of the department the persons employed by my immediate predecessor. With the exception of the physician, and miller and sawyer, they all refused to remain; thus leaving me without the necessary assistance to carry on the operations of the agency.

I supplied their places as soon as practicable, but have found much embarrassment from having all new employes; although they have shown an industry and devotedness worthy of the highest commendation.

The grain on the farms cultivated by the Indian department, and that belonging to individual Indians, was ripe, and demanded my immediate attention; and consequently I have not been able to bestow that attention upon the general interests of the agency that will enable me to give you all the information that under different circumstances would be expected of me. There were about seven acres of wheat, and about the same number of acres of oats, belonging to the agency that were worth harvesting. A large portion of the oats sowed on the agency farms last spring, either from unskilful cultivation or inherent defects of the soil, proved a total failure. I have now secured in the barns all the grain belonging to the Indian department, but as it is not yet thrashed out, I cannot give the number of bushels. The wheat will not average more than twelve or fifteen bushels per acre, and the oats will not exceed twenty-five bushels per acre. In securing the crops of the department, I have labored under very great embarrassment from having no funds in my hands applicable to that object.

The Indians have secured the greater portion of their grain; the average yield will be very small. They have cultivated about the same quantity of land in wheat this year that they did the last; but from unskilful cultivation the crops are very light, much of their wheat not being worth the harvesting; the oats being also almost a total failure. From the facts above stated, I am of opinion that they will not have sufficient grain to support them until the next harvest; and as they have but few cattle which they can kill for beef, and there being little game on the reservation, or in its immediate vicinity, unless provided for by the government, there will be much suffering among them before spring.

From what I have seen of the soil and climate on this reservation since I have been in charge, I am inclined to the belief that with proper encouragement and superintendence, in a very few years these Indians can be induced to raise sufficient grain for their own consumption, and thus relieve the Indian department of all the burden of their support, except the annuities provided for in the stipulations with the various tribes located on this reservation. But in order to accomplish so desirable an object, it will, in my opinion, be necessary to confer to them the benefit of all the treaty stipulations heretofore in force.

In relation to the number and kind of buildings, the quantity of land enclosed in cultivation and in pasture, I beg leave to refer you to the statement of the property on this reservation, herewith transmitted, marked A.

On taking charge of the agency, I found the barns, warehouses, blacksmith's, carpenter's, and tin shops in tolerable repair; but the dwelling-houses for the agent and employes were in a very dilapidated condition, requiring a great amount of repair to render them inhabitable. There being no building suitable for an office for myself or the resident physician, I shall be under the necessity of fitting up an old building for that purpose, at an expense almost equal to the

of building a new one, as it is impossible at present to procure lumber with which to build. I am informed that a short time before he left the agency, my predecessor, John F. Miller, esq., had two small houses removed from the vicinity of the agency building and given to Indians, either of which would have made a very good office for the agent or physician.

The greater portion of the land which has been in cultivation by the department is not in a condition suitable to be put in grain this fall, much of it being so foul as to require summer fallowing to render it fit for any kind of grain. From what I have seen since I have been at this agency, I am satisfied that an entirely different course of cultivation must be adopted to secure success in our agricultural operations. Deep tillage, summer fallowing, and a judicious system of surface drainage must be resorted to, or the soil will soon become exhausted. I deem it of the first importance that the farming by the department be such as to furnish an example that may be safely followed by the Indians.

As near as I can estimate it, without actual measurement, I judge the Indians have in cultivation on their own account about thirteen hundred acres. Many of them show a commendable degree of industry and forethought in the management of their farms, and the stock acquired by their own industry or furnished by the government. And from the attention I have been able to give the subject, I am of opinion that it is for the interest of these Indians to have their tribal organization broken up as soon as practicable; to have the greater part of the land apportioned out to the heads of families, and each individual taught to rely upon his own exertions, and be secured in the full enjoyment of the fruits of his industry.

There are many old and infirm persons and orphan children who will continue year after year to require the paternal care and aid of the government; and it will be necessary for the Indian department to continue to raise a large amount of grain for their support. In order to carry on the farming operations of the department, and give the Indians the necessary instruction and superintendence, it will, in my opinion, be advisable to employ two farmers—one for the Clackamas, Clallamas, and Tumwaters, and one for the Umpquas, Calapooias of the Umpqua valley, and Rogue Rivers, and a superintendent of farming to have charge of the other tribes located on this reservation, and a general supervision over all the farming operations of the agency; being the same number of persons employed for that purpose by my predecessor.

It would be unreasonable to expect these people to accomplish, in the few years they have been located on this reservation, so great a change in their habits, from their former indolent, vagrant, and wandering life, as to be able, without constant supervision and encouragement, to procure a subsistence by the pursuit of agriculture and the arts of civilization.

For a more particular account of the farming operations of this agency, I beg leave to refer you to the report of the superintendent of farming, and the report of the Umpqua and Rogue River farmer, herewith transmitted.

From the limited time I have been in charge of this agency, it has not been practicable for me to take the census; nor can I give you any information with reference to the moral or physical improvement of the Indians since their location on this reserve; in relation to their present physical condition, I refer you to the report of the resident physician.

By reference to the third article of the treaty of January 22, 1855, with the undifferentiated bands of Indians residing in the Willamette valley, you will see that the provisions of the said treaty in relation to the employment of a physician, a school-teacher, a blacksmith, and superintendent of farming, expired in five years from and after the removal of said Indians to their permanent reservation. I have not the data from which I can ascertain the precise time when these Indians came upon this reservation; but from the information in my pos-

session, I presume it was in the fall of 1855 or spring of 1856. If at either of those periods, the provisions of said treaty above referred to have expired.

These Indians are not yet sufficiently advanced in civilization to manage their farming operations without the advice and supervision of an intelligent and skilful white farmer; nor will it be practicable to keep them on the reservation, and exert that control over them which their future welfare requires, without the services of the employés above referred to.

If the view I have taken of the treaty with the confederated bands of the Willamette valley is correct, it appears to me that some provision should be immediately made by Congress for continuing to them the benefits of the stipulations of the said third article. By treaty with the Umpquas and Calapooias of the Umpqua valley, provision is made for a physician, blacksmith, and carpenter, who would be sufficient for all the Indians on the reservation, if such provisions were made as would entitle them to a portion of the services of these persons. It is only necessary to provide for a farmer and superintendent of farming in addition to the one allowed the Umpquas and Calapooias of the Umpqua valley; making altogether two farmers and one superintendent of farming on the reservation, being the same number heretofore employed.

Very respectfully, your obedient servant,

JAMES B. CONDON,
Special Indian Agent.

WILLIAM H. RECTOR, Esq.,
Superintendent of Indian Affairs, Portland, Oregon.

No. 66.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, Washington Territory, September 15, 1861.

SIR: In presenting this my final and only annual report to the department concerning the state and condition of the Indian service in Washington Territory, I have to regret that the early expected arrival of my successor, and the multiplicity of affairs requiring my special attention throughout the Puget's Sound district, have prevented my personal examination of either of the very important agencies east of the Cascade mountains, and will consequently preclude my laying before you such a full and elaborate report as the importance of the subject demands, and my own inclinations would prompt.

MAKAH INDIANS.

Nothing whatever has been done towards carrying out the provisions of the treaty of January 31, 1855, with these Indians; the annuity goods due them under the first instalment of their treaty, have been on hand for nine months but during the short period of my official position I have had no sub-agents to send thither, distribute their goods, and establish a regular agency. It is highly important that a suitable person be placed in immediate charge of these Indians: the houses provided by treaty erected; and the employés authorized by law set to work in the vigorous discharge of their respective occupations forthwith, so as to dispel at once their doubts and misgivings as to the real intentions and good faith of our government.

The agent in charge should be directed to examine carefully the reservation set apart by treaty for these Indians, as I am strongly impressed with the belief that justice and public policy require that this reservation should be considerably enlarged.

I have already begun the organization of a party of employes to send to these Indians; have purchased some property for their benefit, and am only awaiting the appointment of a sub-agent to one of the existing vacancies prior to the establishment of a full agency among them.

QUI-NAI-ELTS AND QUIL-LEH-UTES.

The treaty of January 25, 1856, with these Indians has not been carried into execution. In July last I received numerous statements and affidavits from citizens on the Chehalis river, setting forth the feelings of dissatisfaction and hostility gradually being engendered among those tribes; under these circumstances I could not hesitate to assume the responsibility of appointing for them a temporary sub-agent, (as reported to you by my letter of the 12th ultimo,) accompanied by whom, and the other employes provided by treaty and law, I proceeded thither on the 14th of last month; I found no serious difficulty in appeasing the minds of the Qui-nai-elts, and satisfying them of the good intention of our government.

A very favorable reservation was immediately selected, and all the hands set to work putting up the necessary buildings, prior to the approaching rainy season. It was my intention, as soon as a suitable storehouse could be prepared, to forward the annuity goods for prompt distribution to these tribes. Circumstances beyond my control prevented my having an interview with the Quil-leh-utes, but I have no doubt but that when they see the practical evidences of our good intention in the payment of their annuities and the establishment of a regularly organized agency for them, they will willingly come forward and perform their expected duties under the treaty. From my examination of the country ceded to these Indians, I am persuaded it includes much more valuable agricultural land than has heretofore been believed.

D'WAMISH, SUQUAMISH, ETC.

Under the treaty of January 22, 1855, the first distribution of annuity goods is now being made to the above Indians. The efforts hitherto for their management have been rather desultory and without system, and have not accomplished advantages commensurate with the expenditures made. It is proper to observe, however, that the school, under the charge of Monsieur Chirouse, has been of benefit, though on too small a scale by far, having in view the number of Indians—between 4,000 and 5,000—included in the terms of the treaty. I think the reservation for these Indians at Tulalip, near the mouth of the Snohomish, should be extended so as to embrace a portion of the tide land prairie at the mouth of this river, thus encouraging the Indians to raise stock by giving them suitable pasture land. I would recommend that all the houses required under this treaty be erected without delay at this reservation, so that the agent and employes may all reside there, and in the discharge of their different avocations hold out strong inducements for the various affiliated bands of Indians embraced in this treaty to settle themselves permanently within the confines of the reservation.

S'KLALLAMS, ETC.

Annuity goods for these Indians under their treaty of January 26, 1855, are now, for the first time, being distributed. Heretofore they have had no permanent agent residing on their treaty reservation, and very little, if anything, has been done to ameliorate their condition. The agent recently assigned to duty for these Indians is engaged in organizing this agency, which requires the erection of proper houses for the authorized employes, and the assignment of these latter to active duty, as contemplated by the treaty.

This reservation on the Snohomish may be considered large enough and properly located, but will require time and labor to make it sufficiently attractive to the Indians to induce them to abandon their present migratory habits and settle down contentedly thereon.

NISQUALLY AND PUYALLUPS.

These Indians have been partially and imperfectly provided for on one large and three or four smaller reservations, without any noticeable benefit being derived from either of them. I would strongly recommend that all these minor reservations be abandoned as soon as proper quarters for the employes provided by treaty can be constructed at the reservation on the Puyallup river. This is a large, fine body of land, upon which all the employes should permanently reside, and give their undivided attention to their respective duties. By proper management, without the expenditure of any unusual or large amount of public funds, this can be made in a few years a valuable tract of land, upon which large numbers of the natives can readily be aggregated for fixed settlement and substantial improvement.

TRIBES EAST OF THE "CASCADES."

As previously intimated, my short term of office has prevented me from visiting either of the three agencies between the Cascades and Rocky mountains. No report from either of them, in answer to my letters to that effect, in July last, has yet been received at this office. In this connexion it is proper to note that the agent of the Yakimas was assigned to that duty only on the 18th July ultimo. From reliable information received by me, and from an examination of some of last year's accounts, from these extensive agencies, I am fully prepared to believe that very great alteration and retrenchment are absolutely required as to the mode, manner, and nature of their expenditures.

SCHOOLS FOR THE INDIANS.

I regret to report that the enlightened and liberal measures provided by treaty for the education of our Indians have not, except in one or two isolated instances, met with that proper appreciation on the part of those having the subject in immediate charge which its special importance demands. I entertain not the least apprehension but that our Indian youth, under proper and judicious appliances, will be found readily susceptible of receiving nearly all the advantages generably derivable by our own youth from our system of elementary English education; but to effect this end, it is positively requisite that good and faithful teachers be appointed, and that they be kept assiduously and continuously to the discharge of duties as teachers, and not, as under the present system, be made to do duty as clerks to the agents to the entire oblivion of the appropriate duties of their appointments.

MORALS OF THE INDIANS.

Upon this subject I am not prepared to speak at large, but would simply observe, that the prevalence of a very demoralizing custom necessitated me to issue a circular, of which the enclosed, marked "A," is a copy, to the requirement of which all attached to the Indian service should be made to adhere.

INDIANS NOT INCLUDED IN ANY TREATY.

It is known to the department that there are large numbers of Indians throughout this Territory and superintendency who have never been included in any treaty with the United States. These bands, particularly those of the

living east of the Cascades, from their wandering habits, and separated condition in reference to our government, are naturally disposed to be predatory and troublesome. It is urgently recommended that all such Indians be immediately associated under convention with tribes now living under treaty stipulations. Under a plan of confederation, having a due regard to localities and known affinity, no difficulty is apprehended in bringing these bands into full association with those tribes who are now under the legal protection of our government.

ANNUITY GOODS.

These goods, as purchased hitherto at the eastward and sent from New York to this coast, are not always of the quality and description required or desired by the Indians, and the prices of them are known in many instances to be higher than the same or even better articles can be purchased for in San Francisco and other points on the coast, exclusive of the delay, danger of loss, and cost of transportation, insurance, &c., &c., necessarily enhancing the expenses of these large shipments from the east. As a measure of public economy and public justice, I would confidently advise that hereafter all these goods be procured on this coast, under regular advertisements and contract; the department having a faithful officer present to inspect all the articles rigidly, and accept them only when they conform with the sample and requirements of the contract.

EXPENDITURES FOR THE INDIAN SERVICE.

In my estimate forwarded to you on the 10th instant I have given in detail what I deem a just and adequate compensation for each regular employé authorized by treaty stipulations. For the respective amounts named, I believe good, faithful, and zealous officers can easily be obtained, who will cheerfully devote all their time, energy, and attention, to their duties. I do not approve of the allowance of rations to these employés, or to any other persons employed in this superintendency; it is unnecessary, and opens a wide door to waste and extravagance; the estimated salaries are regarded as sufficient, without any allowance for rations or commutation therefor. In the one or two more remote agencies, where the necessaries of living are sometimes temporarily of difficult procurement, there might always be kept on hand a sufficient supply of these necessaries, on public account, for sale to those employés, and to them only, when circumstances require it, or there will always be authorized traders on and from whom such supplies can be obtained.

I trust I will be excused for expressing my decided opinion that the present attitude of discretion allowed to agents in the disbursements of public funds, creating liabilities, and making open purchases, is by no means calculated to promote that prudent and wholesome regard for economy and a just appreciation of the actual wants of the service which ought to mark the conduct of every officer charged with the disbursements of public money. To regulate, systematize, and reduce within proper limits these expenditures, and to institute and reserve a uniform plan of accountability and mode of dealing with the Indians, the superintendent must almost continually be visiting the various agencies throughout this large superintendency, personally examining and supervising all matters of importance; and no expenditure of magnitude should be made without its previous written sanction, and an opportunity offered by public advertisement for the lowest responsible bidder to furnish the articles or perform the service required.

The existing too common custom of making engagements or purchases on credit, and giving certified vouchers for the amount of the indebtedness in lieu of the cash, is pernicious in a variety of ways, floods the country, as at present, with those loosely made evidences of liability, seriously impairs the credit and

standing of the department, and induces generally a loose idea of accountability. I would recommend that it be positively prohibited, except in cases of absolute and overruling necessity. The custom prevailing with some of the agents of residing in towns from seventy-five to one hundred miles distant from their agencies, leaving the public property in charge of, and their duties to be executed by, their subordinates, and when occasionally visiting their posts of duty charging their travelling expenses to the government, is so utterly averse to the plainest dictates of duty as to require the strongest condemnation.

Instructions from this office have been forwarded to each agent, requiring them and all employes in the service to reside permanently at the agency in the midst of the Indians under their control respectively.

I am unable to perceive any valid reason for the allowance of clerks to Indian agents on reservations. Their accounts are simple, and cannot consume but a very small portion of their time, including a few days at the end of each quarter.

I would recommend that those unnecessary aids to agents, with some other of their subordinates, now paid out of the contingent expenses, be discontinued for the future.

I would recommend that all the buildings for the Indian service be built wherever practicable, of substantial logs, comfortably finished, and according to a uniform plan. They would be much more durable, comfortable, serviceable, less expensive, and more appropriate than the present irregularly built and flimsy establishments to be found on some of the agencies.

Of the six agents and two sub-agents contemplated by the law approved February 8, 1861, I recommend that the sub-agents be assigned to duty with the Makahs and Qui-nai-elts, respectively, and the six agents be placed in charge each of one of the six remaining largest and more important districts. The Indians not yet under treaty should, for the time being, be placed in charge of those agents nearest to whom they respectively reside.

Public report will have doubtless informed the department of the discovery of extensive mines of gold in the Nez Percés country. I cannot speak from personal knowledge as to the extent and probable value of these mines, but what is deemed reliable information authorizes me to believe that they are very important, and calculated to open a wide field for industry and enterprise in that section of the country.

From five thousand to seven thousand miners are reported as engaged in work throughout that district, but our recent advices give us no indication of any serious dissatisfaction or difficulty existing between the miners and the Indians, although I think it would be found advisable, in view of the large and increasing numbers of those miners, and the impracticability of making them adhere to the Indian treaty arrangements, to make a further convention without delay with these Nez Percés Indians, by which their present treaty reservations may be altered as to allow the free ingress and egress of the whites to this entire country.

In conclusion, I have to express my belief that peace and good feeling are readily be maintained with all the tribes of Indians within this Territory to whom we have treaties, provided all the stipulations of these treaties are carefully and faithfully observed and carried out by the United States. Accompanying this will be found the annual report of Agent Gosnell, the only report received up to this date from any of the agents within this superintendency.

Very respectfully, your obedient servant,

W. W. MILLER,

Superintendent Indian Affairs, Washington Territory

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington City.

Circular to all Indian agents within the superintendency of Washington Territory.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, August 30, 1861.

The superintendent of Indian affairs calls the attention of all persons attached to the Indian service to the absolute necessity of cultivating and encouraging correct ideas of morality among all the various tribes of Indians settled throughout Washington Territory.

The practice of open prostitution and concubinage between the whites and Indians, while degrading and demoralizing to both classes, is calculated to destroy that respect which is due from the Indians to their official protectors, to retard materially the gradual elevation of character among the natives, to diminish sensibly the efficiency of our means of ameliorating the condition of these pupils of our general government, and is so utterly subversive of good order, and opposed to correct principles for their government, that it must at once be abolished wherever it has existence in your agency district, and your active co-operation is required to effect this object. You are therefore directed to read this circular to all the employes attached to your agency, and to take immediate measures for carrying its provisions into effect. Any future infractions of these instructions will be considered as sufficient cause for immediate dismissal, or suspension, as the case may require.

Respectfully, &c., &c.,

W. W. MILLER,
Superintendent Indian Affairs, Washington Territory.

No. 67.

SKAGET RESERVATION, *June 30, 1861.*

SIR: Your instructions to forward a report to your office, as farmer of Point Elliot treaty, have been received. In compliance therewith, I would say that I was ordered by Agent Simmons, having charge of Point Elliot treaty, to proceed to the Skaget reservation and erect a small house and prepare land for crop the coming season. I arrived here October 13, 1860, and proceeded to carry out my instructions. I erected a house sixteen feet long and ten feet wide, intending it for a kitchen at some future time should a larger house be required. I also cleared about eight acres of land, having large trees scattered over it, with here and there bunches of willow, alder, and brier bushes on it. January 29, 1861, I received instructions from M. T. Simmons, Indian agent, to stop all work on the reservation and forward to him an account of my expenditures, which I complied with. In May I was instructed by Superintendent W. W. Miller to put a fence around the land cultivated with potatoes by the Indians, to prevent the cattle from injuring their crop. I enclosed about ten acres with fence, and the Indians have planted it with potatoes; since then nothing has been done, as I have had no means to go on with, or instructions what to do. Of the other reservations embraced in Point Elliot treaty I have no knowledge as to what has been done, being located on the Skaget reservation and not visiting them.

Very respectfully, your obedient servant,

R C. FAY, *Farmer.*

W. B. GOSNELL,
Indian Agent, Washington Territory.

CHEHALIS, GRAY'S HARBOR,
Washington Territory, June 30, 1861.

SIR: In conformity with my duty as special Indian agent for the Chehalis Indians located in this district, I herewith transmit my annual report so far as my limited means, without aid from the department, will allow.

I find they are scattered in small bands, numbering, all told, about three hundred men, women, and children.

They are located upon the rivers Satsap, Wynoshe, Quishcum, Umterlups, Typso creek, Armstrong's Point, Quinaieitl, Chehalis Point, and Shoalwater bay.

The largest of these different bands are the Quinaieitls, and the most remote from this place, numbering some sixty souls. The others, each tribe, number about half that number.

Those living upon the Chehalis tributaries are a source of help to the settlers on those streams, and subsist partly by the labor they perform for them, partly by fishing and hunting. Those located upon the shores of the bay at the mouth of the Umterlups river, Typso creek, Armstrong's Point, and this place, subsist by fishing and hunting. During the stay of the troops at this place they contributed much to their comfort by supplying fish, elk, and berries. Those on the upper Umterlups live by fishing and hunting, and more retired than any of the other portion of the tribe. They are remarkably hospitable whenever I visit them, and always seem pleased whenever they visit this place to trade. Those at Shoalwater bay live altogether by fishing and hunting. The Quinaieitls live principally by fishing. I have not been able to visit them for want of means, although they have frequently visited this place, and did so about three weeks since, at my request, in order to settle an accusation brought against them by the citizens in behalf of Mr. McGee, he being absent at the time. The charge was for killing six or eight calves, which they denied, and expressed disgust at the character of those who invented such a report against them. Mr. McGee has since returned and visited his stock, and assures me that he has lost but two calves, and his own opinion is that they have been poisoned by some weed which grows on the bottoms where his cattle range.

Many such reports have been brought to my notice, and resulted similarly to this.

I have seen all the above tribes of Indians, and visited them many times, and I shall be slow to believe that any of them will molest intentionally or destroy any property belonging to the citizens, so long as they deal with them fairly and honestly.

For my own part, I cannot condemn the Indians who are made the associates of citizens who intoxicate them with whiskey, and take their property by intrigue, and then complain of their infidelity.

There is not an individual of respectability on this bay or river that has ever complained of the Indians in any respect, to my knowledge. On the contrary, they regret that their removal to the reservation will occasion the loss of the labor among them.

The Indians, however, are all anxious to commence work on the reservation, and I believe the sooner it is done the easier it will be to collect them upon it.

I also think it necessary (to carry out the object with the least possible expense and trouble) that a company of soldiers should be sent to the north side of the bay to aid in the undertaking.

The best route to transport the material, so far as I have been able to ascertain, for despatch and cheapness is, if done between this time and September by schooner to Greenville harbor, thence in canoes to the Quinacult river, over Point Greenville, a distance of six miles from the reservation.

If during the winter or fall months, I should recommend it landed at Armstrong's Point and hauled up the beach.

I have no account to render, having received no orders to act in any particular case, or make any distributions or disbursements since acting in the capacity of special Indian agent for this district.

Very respectfully,

CHARLES F. WINSOR,
Special Indian Agent, Washington Territory.

WM. B. GOSNELL, Esq.,
Indian Agent, Olympia, Washington Territory.

No. 69.

SKOKOMISH RESERVATION,
Washington Territory, June 30, 1861.

SIR: I have the honor to make the following report, as farmer to the Indians on this reservation, for the year ending June 30, 1861.

Skokomish reserve is situated at or near the mouth of the river of the same name, immediately at the elbow of Hood's Canal, and has been set aside for the S'Klallams, Skokomish, Chumakums, and other Indians, parties to the treaty of Point-no-Point, numbering in the aggregate about fifteen hundred souls, but of whom not more than one-sixth has at any one time resided on the same during the last year. This place had never been occupied as an Indian reservation previous to my coming here on the 1st of November last.

On my arrival here I found a difficulty existing between different families of Indians. It appears that a doctor had been shot by a relative of one of his late patients; the friends of both parties took it up, and several persons were killed before I succeeded in quieting them down.

In obedience to your instructions, Mr. O'Harver, the carpenter, and myself removed the old log building to the site selected by you for the agency, a distance of half a mile, and Mr. O'Harver has since finished the same in a substantial and workmanlike manner. We have also built a substantial picket fence, six feet in height, around the agency building and grounds, and have enclosed the land lately cultivated by Mr. O'Harver, the late proprietor of the land under a donation title, amounting to about 12 or 15 acres, with a good fence ten rails high. About $3\frac{1}{2}$ acres of this land has been sown in oats, $2\frac{1}{4}$ in potatoes, and the balance was divided into lots to about thirty-six families of the natives, all of which has been planted in good order in carrots, peas, corn, and potatoes.

Early last spring I visited the Indians down the canal as far as Taybeck mills, and was informed by them that they were cultivating this year their old potato patches, as not enough land had been broken on the reservation to enable them all to put in a crop there, but that they will all move on to the reserve next fall.

A good deal of hard feeling exists among the Indians on account of their not having received their annuity goods before this; they say that the whites are settling their land and occupying their fisheries, and that they never receive the payment for the same, which was stipulated in their treaty.

I would call your attention to the fact that Messrs. O'Harver and Webb have never been paid for their land claims, which are included within the reservation, nor have they received any paper showing that the United States is indebted to them for the same. Steps should be taken to insure these gentlemen the amounts to which they are justly entitled.

Very respectfully, your obedient servant,

WM. M. MORROW, *Farmer.*

W. B. GOSNELL, Esq.,
Indian Agent, Washington Territory.

No. 70.

WASHINGTON TERRITORY,
Culelip Indian Reservation, July 1, 1861.

SIR: As requested in your letter of the 26th of June last, I have respectfully to submit this my first report as teacher upon this reservation.

At present there are but 25 scholars in attendance—20 boys and 5 girls.

The general system of education is as follows: From 9 to half-past 10 o'clock spelling and reading, each scholar translating the lesson into the Indian language, and then into the Chanook jargon, this being the best, in fact, the only means of making them understand the meaning of each word and impressing it upon the memory.

From half-past 10 to 12 o'clock, recreation and work in the gardens. After dinner, recreation for an hour. From 1 to 3 o'clock, writing and recitation in history, geography, and arithmetic.

On Tuesdays and Thursdays arithmetic and singing lessons take the place of the other recitations.

From 3 to 4 o'clock, recreation; from 4 to 6 they attend to their usual manual labors. On Saturdays, after the music lessons, school is dismissed.

This school was opened for the first time on the 1st of January last, but during this short period the progress of the scholars and their attention to studies have been most encouraging. In spelling and reading in the pictorial primer some are not excelled in progress by the children of the whites. During the same period some begin to write, and understand perfectly the first lessons of the Youth's History of the United States, the first lessons in geography, and the first elements of arithmetic. They can express in English, and represent by the common figures every number from 1 to 1,000,000, &c.; and they will soon, I doubt not, be able to comprehend the first rules in arithmetic.

Up to the present time I have myself supported the school, and have paid \$200 for books, clothing, &c., and \$400 for clearing and fencing the grounds. I was assured by Mr. Simmons, the late agent, that I would be reimbursed for these expenditures by the Indian department, and trust that such will be the case.

I have now been fourteen years among the Indians of this country as a missionary of the Catholic church. I am well acquainted, therefore, with the character and disposition of the aborigines, and believe that I can suggest the means that would best tend to advance them in civilization.

It is with the children of the Indians as with their parents—their natural inclinations lead them to imitate the whites, and unfortunately the example of the evil has more attractions for their unpolished minds than that of the good and virtuous. As an illustration of this, I find it much more difficult to reclaim and teach those who are brought much in contact with the evil-disposed and immoral among the whites than is the case with those who are differently situated. From this it will be seen how important it is, as well for the honor of our humane government as for the temporal and spiritual welfare of the poor Indians, that the employes sent out among them should be men of good character, and, as far as possible, married men. In all the tribes on the sound the number of the girls of the school is very disproportionate to that of the boys, and it is extremely difficult to get them to attend study. The chief reason is that the parents of these unfortunate creatures devote them at an early age to the prostitution of the depraved among the whites for gain. This is a sad truth, and it becomes the duty of the government to adopt every means to put a stop to the shameful traffic. I would suggest that an appropriation be made by which we will be enabled to purchase clothing for the girls, and to obtain the services of one or two white women to teach them needle-work, &c., and none would be

better suited for this work, and for the advancement of the poor creatures in the doctrines of Christianity, than the Sisters of Charity.

The Indians are generally very fond of singing, and I daily teach them some church music to please them and to attach them to the school.

Much of their time is also devoted to agriculture and similar industrial pursuits. During the past four months my scholars have cleared and planted about four acres of land in a very dense forest, and I think their first crop will be sufficient to support twelve of them during the coming year. By this means they will not be obliged to go with their parents to fish, &c., and can devote all their time to the school.

As yet there is no school-house on the reservation. I am obliged to use for this purpose the lodges of the Indians or a wretched log-house. Teacher and scholars are entirely unprotected from wind and rain. I trust that this want will be supplied at an early day. My experience so far has confirmed my belief that a boarding-school should be established upon the reservation.

Had we such a school the number of scholars would be very large. This is the only means by which we can hope to keep the children separated from their parents; and until we can do this I do not look for any large accession to the number of scholars. It is most important that we should have a boarding-school, and I trust that one will be established at an early day.

The site for the school-house was selected by Mr. Simmons, the late agent, on account of its central position. The Indians have made many improvements on the grounds. They have already cleared three acres, and are now building houses and a church. They have also set apart and improved a portion of the grounds for a churchyard. The school site is distant two miles from the agency, Neah Bay. Some of the Indians are anxious to have the school at the latter place, but I would urge that it be continued in its present position. Those who have made improvements would be dissatisfied to lose the benefit of them; and it is for the good of the children that they should be as far as possible separated from the adult members of their tribe.

Very respectfully, your obedient servant,

E. C. CHIROUSE.

W. B. GOSNELL, Esq.,
Indian Agent.

No. 71.

OFFICE OF INDIAN AGENT,
Squoxcin Indian Reservation, W. T., August 1, 1861.

SIR: In compliance with the regulations of the Indian department I have the honor to submit this my annual report, showing the condition of the several Indian tribes which have been intrusted to my care during the fiscal year recently closed. Absence from my office on official business has prevented my reporting to you at an earlier day.

The accompanying reports of my employes will exhibit to you a detailed statement of the condition and prospects of the different departments under their respective charge.

Since my last annual report nothing has occurred to change the general condition of the Indian parties to the treaty of Medicine Creek, and located upon the Squoxcin, Nesqually, and Puyallup reservations. They have cultivated an increased amount of land, and seem to become from day to day more and more convinced that in husbandry consists their future happiness. It is true that the great majority of them still continue their old habit of leaving their homes in the

spring in search of lacamas, berries, &c. But some have abandoned this custom, and live now permanently upon their land, which, to say the least, is certainly a beginning, and as these persons have more and better crops—for they attend to them during the summer more—than their roving neighbors, will, it is hoped, soon be imitated by the entire tribes.

It was with much pleasure I received your order to establish my headquarters on the Puyallup reservation, and to remove to that point the instructor, physician, &c., as soon as the necessary buildings for their accommodation could be erected, for it was an intimation that it was your intention to concentrate as much as possible all the Medicine Creek treaty Indians upon that reservation, a policy I have been advocating for the last three years. At the time this treaty was made it was dangerous, and in many instances impossible, to collect the different bands and tribes upon any one reservation. Small tracts of land were therefore set aside for their use, and special agents appointed to take charge of them. But the necessity for these small reserves is now done away, and it now becomes the duty of the department to locate the Indians in such a manner that they will derive the greatest possible benefit from the provisions of the treaty to which they are parties, and the only way to do this is to collect them upon one general central reservation, where all the different mechanics and other employes are stationed, and where the whole system may be carried on under the immediate eye of the agent. Under the present condition of affairs the employes are divided off; some live on one reservation and some on another. The blacksmith, for instance, is located on the Squoxcin, and it becomes necessary for a Puyallup Indian, whenever he wants an article, no matter how trifling, made or repaired, to travel a distance of forty miles. The school, which is also located on the Squoxcin reservation, has been of no benefit whatever to any but the Squoxcin Indians, for the simple reason that they lived too far from it to enable their children to attend it.

In consideration of the above, I would respectfully recommend that the school and all the shops provided for by the treaty of Medicine Creek be established and rather removed to the Puyallup, and as near as possible all the mechanics and employes ordered to that point, with a view of ultimately making it not only the principal but the sole reservation under the said treaty. I am well aware that the Indians cannot be induced to give up their old homes at once, but I am satisfied that when they see that all the mechanics live on the Puyallup, and when they are made to understand the great advantages that place has over the other reserves, especially the Squoxcin—an island entirely unfit for an Indian reservation, embracing but comparatively few acres of tillable land, being wholly destitute of a winter range for stock, and having no sweet water upon it except what is supplied by a force-pump out of a well—they will, family after family, leave their old haunts and move to their new home.

The agency buildings on the different reservations are in good repair. The houses erected for the Indians have been of but little benefit to them, for the reason that they will not occupy them, but will rather live in huts and lodges of their own construction. I would therefore recommend that in future no more such houses be built for them, but that the money applicable to that purpose be expended in the breaking of land, opening of farms, purchase of stock and farming utensils, and beneficial objects of that character. It is believed that after a while, when these Indians will become further advanced in civilization and have succeeded in surrounding themselves with farms and other property, that they will then be better able to appreciate a good comfortable dwelling, and that then will be the proper time to provide them with such as their tastes and necessities may require.

I would particularly call your attention to the school provided for by the treaty. Heretofore nothing but a day school has been kept among these Indians and its success, to say the least, has been rather indifferent. It has always been

my opinion that the only way to succeed with Indian children is by taking them entirely away from their parents, and not to allow the influences of their savage home to counteract those of the school-room. In order to accomplish this, it is necessary to establish, in connexion with the school, a boarding establishment, under the judicious management of a kind and competent matron, where the children would be fully impressed with the advantages of a civilized home over that to which they had always been accustomed. The lessons taught at the school should not confine themselves to letters, but the boys should be instructed in agriculture and the mechanical arts, and the girls in the use of the needle and loom. It is necessary first to civilize Indians before they can be educated.

It has been the custom heretofore to issue the annuity goods to these Indians in the early part of spring, but as my presence at that time this year was required east of the Cascade mountains, I have been unable as yet to attend to this matter. However, agreeably to your instructions, notice has been given that this year's "potlatch" will be held during the first part of September next.

The S'Klallams and other bands and tribes of Indians parties to the treaty of "Point-no-Point" have a reservation assigned them on Hood's Canal, upon which, however, comparatively few have as yet permanently settled. This reserve has been under the superintendence of Mr. William Morrow, the farmer under the treaty, who has erected a log-house and fenced in and cultivated about fifteen acres of land.

The annuity goods for these Indians were purchased by the department in the eastern market, and arrived here early last spring, but have not yet been distributed.

I have turned, in accordance with your directions, all the goods, moneys, &c., belonging to this district over to Indian Agent George A. Page, whom you have charged with the administration of the above treaty, and who, being an officer whose efficiency and energy are too well known and appreciated to require any comment from my pen, will soon make his mark in such a manner that the S'Klallam reservation will be second, so far as improvements at least are concerned, to none on Puget's Sound.

In regard to the Quilaielt and Ouilhute Indians, I regret that I am unable to give a very encouraging account of their condition. They have made little or no progress towards civilization, nor will they do so until they receive that aid from government which had been promised them, but which, I am sorry to say, they have not received as yet. It is true that their treaty has been confirmed by the Senate, and their annuity goods sent out from the east with the goods for the Indians subject to other treaties, but no funds whatever had been placed in my hands to commence operations on their reservation.

As my district during the last year was so very large, and the business thereof so very complicated, and these Indians live at such a remote point from my office and the balance of my reservations, I found it impossible to bestow upon them that attention to which they were entitled; and I therefore appointed, in accordance with instructions received from Mr. Geary, your predecessor in office, Charles T. Winsor, special agent for the Quilaielt, Ouilhute, Lower Chehalis, and the coast Indians generally. The accompanying report of Captain Winsor gives valuable information regarding these Indians.

As, by the law creating Washington Territory into a separate Indian superintendency, and providing for the appointment of three additional agents, the employment of special agents was prohibited, I have discharged Captain Winsor on the 30th June last from the Indian service, and would now respectfully point out to you the importance of assigning some agent of the government to duty among the Quilaielts and Ouilhutes at the earliest practicable moment.

Charges of a serious character were brought against Agent R. H. Lansdale, then in charge of the Yakama district, some time during November or December last, which induced Superintendent Geary to suspend that officer from the exer-

cise of his office, until an investigation could be made respecting the said charges, and ordered me to proceed to Fort Simcoe and relieve Mr. Lansdale, which I did, arriving at that place on the 3d, and taking charge of the affairs of the Yakama district on the 5th of January last.

I will not weary you with a statement of the doings of Mr. Lansdale, as I reported fully at that time to your predecessor, and said reports form now a part of the records of your office. Let it suffice for me to say that Mr. Lansdale acted very strangely indeed; that he refused to recognize the authority of the superintendent, refused to be suspended, and refused to turn the property, books, &c., belonging to that district over to me, as he had been ordered to do by his superior officer, and finally compelled me to take forcible possession of the same, which I did, under specific instructions from the superintendent of Indian affairs.

For a detailed statement as to the condition in which I found the Yakama agency, I would respectfully refer you to my report of January 26, now on file in your office.

Shortly after my arrival at Fort Simcoe, some of the staple articles of subsistence, such as beans, rice, &c., gave entirely out, and it became necessary to send a pack-train to Rockland for fresh supplies. The government horses were not in a fit condition for a trip over or around the mountains, and I had therefore no choice but to hire Indian horses at five dollars per head for the trip. Transportation of that kind is very expensive, but I was compelled to avail myself of it during the whole of last winter, as it was impossible for teams to make the journey, and absolutely necessary that certain supplies be brought to this agency, in order to prevent great suffering among the white employes, and the Indians who had come recently upon the reservation, relying upon the promise of the government, as expressed in the 4th article of their treaty. By referring to my accounts, you will find that a large amount of money was expended for hire of pack-horses, &c., to bring supplies, seeds, &c., from Rockland to the Yakama agency. I had to give five dollars per horse, when the mountain road was impracticable on account of snow, and four dollars per horse when the snow had sufficiently cleared away to enable the Indians to take the military road over the mountains. I do not think it possible that a question as to the propriety of my incurring these expenses can arise, for, as I said above, these supplies were demanded to prevent suffering among the white employes, and even starvation among a certain class of Indians.

The saw-mill which had been built last summer, and been reported as completed in November last, I found in a state far from being finished or even in working order. It is true that a certain amount of lumber had been sawed, but the entire feed-works, saw-gearing, and in fact the whole inside works, were of temporary character; besides which, no floor had been laid nor roof put on. In accordance with instructions received, I directed the wagon and peon-maker Mr. Dickerson, to take charge of the work necessary to be done on the saw-mill, hired the requisite mechanics and laborers, commenced work on the 3d of January, and finished the same on the 30th April last.

This mill again illustrates the fact that the only proper and economical way of having work done for the government is by contract. A contract might have been made with responsible parties, and the mill, dam, and everything belonging thereto, completed for less than half its actual cost. I do not make this remark with a desire to reflect upon the actions of my predecessor in the Yakama agency: I merely record it as a matter of fact.

I have made a contract with Mr. Henry Shipley for the construction of a good and substantial grist-mill. Said contract has received the sanction of the late superintendent of Indian affairs, and a copy of the same is now on file in your office.

I have had Mr. Hall, the carpenter under the treaty, build a large and com-

modious dwelling-house near the mills, for the accommodation of the miller sawyer, and such other hands as it will be necessary to keep from time to time about the mills.

About the middle of February last I set the teams to work ploughing, and have now the pleasure of reporting the following number of acres under cultivation :

32 $\frac{3}{4}$ acres, sown in oats, at the Lone Tree farm.

2 $\frac{1}{2}$ acres, sown in peas, at the Lone Tree farm.

7 acres, sown in barley, at the Lone Tree farm.

7 $\frac{1}{2}$ acres, sown in wheat, at the Lone Tree farm.*

5 acres, sown in potatoes, at the Lone Tree farm.

30 acres, broken and prepared for fall wheat, at the Lone Tree farm.

5 acres, (garade garden,) planted in corn, potatoes, and garden vegetables.

8 acres, (school garden,) planted in corn, peas, oats, and garden vegetables.

8 acres, (lower garden,) planted in corn, peas, oats, and garden vegetables.

1 $\frac{1}{2}$ acre, (upper garden,) planted in potatoes.

Total, 107 $\frac{1}{4}$ acres, as actually measured by Mr. Snelling, the superintendent of farming, assisted by Mr. C. E. Place, farmer. The most of this land has been broken and the whole of it ploughed this spring, besides which, about a hundred acres have been ploughed for the different bands living near the agency.

The plan I adopted for doing this ploughing for the Indians was as follows : I sent a team of from two to five yoke of oxen, with one white man and one Indian, who took their camp fixtures along with them, to an Indian village, and kept them there until all the land in the neighborhood which it was practicable to break this spring was ploughed, when the camp was taken up, and the teams moved to another village. To the Indians living at a distance from the agency I have issued oxen, yokes, chains, ploughs, and such other farming utensils as were necessary for putting in a crop, and let the Indians do the work themselves ; and it is safe to calculate that at least ninety acres have been broken in that way ; making, in all, nearly two hundred acres now under cultivation by the Indians on the Yakama reservation, and which it is hoped, as the grasshoppers and crickets did not appear this year, will yield an abundance of produce to those who have spent their time and labor in endeavoring to make farms and homes for themselves.

The school, under the supervision of the Rev. J. H. Wilbur, is in a flourishing condition, and is just such a one as I recommended above to be established for the Indians, subject to the treaty of Medicine Creek. The children are boarded in the boarding-house attached to the school, are neatly and uniformly clothed, and are making rapid progress in the acquirement of our language, in reading, writing, and the other branches of education. The boys are cultivating a large garden, and Mr. Wilbur intends to extend his operations in that direction largely this fall. The girls are assisting the matron in the discharge of those labors so evidently the field for female industry, and, should they be permitted to remain at this school until they arrive at the age of womanhood, will make virtuous wives, loving mothers, and examples for their not-so-fortunate sisters.

The buildings at the Yakama agency are those turned over to the Indian department by the military, and are in good condition and repair, requiring but few alterations to fit them in every respect for the purposes for which they are now used.

As I informed you in my statement of persons employed during the first quarter 1861, the salaries paid to the treaty employés were in accordance with the term of their appointments given them by the superintendent of Indian affairs, which fixed the amount of their salaries, and left it optional with the different persons whether to take rations or \$200 per annum for subsistence. They all preferred the rations with the exception of Mr. Wilbur, who took money

in lieu of provisions. Mr. Wright also demanded for the second quarter money in preference to rations.

The wages paid to the transient employés, both whites and Indian, were the same as had been paid them previous to my taking charge of the affairs of the Yakama agency, and which, as I had been placed there only temporarily, I did not feel authorized to change. Besides their pay, they all received regular rations. I am not informed whether it is now the policy of the government to subsist employés permanently located at an agency; if it is, a recent change has certainly taken place. When I arrived at Fort Simcoe it was in the middle of winter, the roads blockaded with snow, and it was impossible for me to make any other arrangements regarding the subsistence of employés, even should such have been my wish, as none of them were prepared to subsist themselves during the winter months, as they had always received their provisions from the agency and it was a part of their contract that they should be subsisted.

I do not believe that it is an economical plan for the government to issue rations to permanent employés. In my opinion, the better way would be to allow them a fixed salary and require them to subsist themselves. By this course the necessity for keeping a commissary would be done away, which in itself would be a great saving.

There are now two buildings at Rockland, Washington Territory, under contract for the Yakama agency, and for which the government has to pay a rent of \$1 per month. This price I consider exorbitant, but was compelled by circumstances to still retain these houses. When I arrived at Rockland, in January last, I found them used as storehouses for Indian department property, and at the arrival of the second shipment of the first annuity goods for the Yakama nation, which happened a few days after, these buildings were filled up to the very comb of the roof. I found it impossible, on account of the roads and the absence of funds, to remove these goods to the agency, and as no other house could be procured, I was, as I said before, obliged to retain the same in this service.

Under ordinary circumstances, I think that arrangements can be made to do without any storehouses at Rockland. The goods might be landed at a wharve boat, a short distance above that place, and from there at once hauled to the reservation, which would also do away with the accompanying expense—thus keeping an employé to take care of the warehouse and goods.

Superintendent Geary instructed me, under date of June 4, to turn "the books, papers, moneys, and property belonging to the Yakama agency over to Charles Hutchins, esq.," who had been appointed special agent, with which instruction I complied on the 17th June last.

In the above I have only reported my own official doings while the Yakama agency was intrusted to my care, without making any recommendations for the future, leaving that to the agent who has recently been assigned to duty in this district.

I qualified under my new commission as Indian agent on the 1st of April and proceeded, under instructions, on the 9th, to the Tulalip agency to relieve Colonel Simmons, in whose place I had been appointed, and took charge of the D'Wamish, Suquamish, and other allied bands of Indians, parties to the treaty at "Point Elliott," on the 15th of April.

I nominated, as I had again to return to the Yakama district, east of the mountains, Mr. H. D. Morgan, for the position of special agent, in accordance with which the said Morgan was appointed as such by Superintendent Geary, my predecessor, and required to live on the Tulalip reservation, at which place the head agency for the district had been established, and where Mr. J. T. G. the blacksmith, and George W. Simmons, the interpreter, were stationed. Simmons resigned his position as interpreter when I relieved his father, and I appointed Mr. W. Pope to the vacancy.

The buildings, as Agent Simmons had only recently commenced work on this reserve, I found in an unfinished condition. The agency is a one and one-half story balloon house, but far from being completed, not having been weather-boarded as yet, or the interior finished, or made comfortable in any way. The saw-mill was in working order, but as the frame and machinery are old, and had been left without care for over four years, the whole of it will have to be overhauled and repaired. About six acres of land have been fenced and broken, and some six or seven rough houses built for the Indians, which comprises all the improvements made on the Tulelip reservation.

On the Skagget reserve, which has been under the superintendence of Mr. R. C. Fay, the farmer under the treaty, since the 13th of October last, a small house has been erected and a field of ten acres cleared, fenced, and a crop of potatoes planted on the same.

On the Kt. Sap reservation, under the charge of Mr. D. S. Maynard, but few additional improvements have been made. A small building and a few Indian houses were erected there during the late war, but their condition is now such that a good many repairs are needed. An orchard of about 200 fruit trees was set out last fall, and a substantial fence put around it.

At the Muechute Mr. James Gony, the assistant farmer, has been in charge, and the usual amount of land has been cultivated. This place, as the buildings formerly belonged to Fort Muilichute, a military station, have been turned over to the Indian department, is better provided with suitable buildings than any other reserve on the sound.

For particulars regarding the Summi reservation I would respectfully refer you to the report of B. F. Shaw, late the carpenter under the treaty, and who had been stationed at that point.

The school established on the Tulelip since the first of January last, has been under the supervision of the Rev. E. C. Chirouse, whose report I herewith enclose, and to whose suggestion, and recommendations I would particularly call your attention. I fully indorse the opinion of the reverend father, that those only of pure morals and correct deportment should be employed on the reservations, and that men of families should be preferred to single men for all the positions provided for by treaty. The presence of well-ordered families can scarcely fail to exert a most beneficial influence over the Indians, and induce them, by showing them the advantages of a well-regulated home, to imitate the example set them by their white neighbor.

Father Chirouse reports that he has cleared four acres of land with the intention of having the school-house built on the same, but as this land is over two miles from the agency, I do not consider it a proper point for the school to be located. In my opinion, the school-house should be erected in the immediate neighborhood of the agency, so that the authority of the agent might exercise a harmonizing influence over the same, especially as it seems that a feeling of jealousy exists between the Catholic and Protestant Indians, and which, should the school be established at any distance from the agency, might lead to unpleasant difficulties.

Agent Simmons reported under date of December 14, 1860: "On the morning of the 23d ultimo a murder of the most atrocious character was committed by an Indian belonging to this reserve, (Tulelip,) named 'Phames,' upon the body of a citizen named 'Carter.'" The agent at once organized some hundred and twenty Indians into small companies, supplied them with arms and ammunition, and started them out in search of the fugitive, but was unsuccessful in capturing him, he having, it was supposed at that time, made his escape towards the Puyallup reservation. An Indian rumor reached me some time afterwards that he had hung himself in the woods, and as nothing has been heard of him since I think that either the above rumor was correct, or that he died in the woods from exposure and want, having been afraid to show himself to the whites or to

seek refuge among his Indian friends. The two sons of Phames, who were suspected of having been parties to the crime, were arrested and tried during the spring term of the district court at Port Townsend, but were, as no convicting evidence could be brought against them, released under bonds.

The D'Wamish, &c., district, was again by your directions turned over by me, on the 13th of July last, to Indian Agent B. F. Shaw, a gentleman who is enabled by his connexion with the early history of this Territory, and his intimate acquaintance, obtained by personal observations and experience both in and out of the service, with the character of the Indians, to make such recommendations as the service at that point demands. The Makahs and other Indians subject to the treaty of Neah Bay have been until lately included in this district, now in charge of Colonel Shaw. Their reservation is situated near Cape Flattery, but on which no improvements of any kind have been made as yet, and in fact nothing has up to this time been done for these Indians. The entire absence of funds has prevented me from visiting them, and I am therefore unable to report as to their present condition. These Indians, living so near, and partaking somewhat of the character of their warlike and marauding northern neighbors, the so much dreaded Indians of the British possessions, should at once be placed under the care of an agent who could give his undivided attention to their civilization, and the carrying out of their treaty stipulations. I would respectfully press this matter for your early consideration, believing that by an efficient agent being assigned to duty among them, and required to reside on their reservation at Cape Flattery, a great many of those difficulties which have so often during the last few years arrayed the white citizens of that neighborhood against these Indians might be prevented and guarded against.

In 1855 Governor Stevens, the then superintendent of Indian affairs in Washington Territory, assembled the Cowlitz, Upper and Lower Chehalis and Chinook Indians for the purpose of negotiating a treaty with them, but did not succeed, as they at that time refused to treat or sell their lands to the United States. Since then they have found out—unfortunately for them too late—that foolish they had been in rejecting the offers of the government, and the Upper Chehalis and Cowlitz have often expressed their regrets for having thus done for as the whites have taken up and fenced in nearly their entire country. They have been crowded from place to place, till now they have hardly an acre of grazing and arable land which they can call their own. They, as a class of industrious Indians, having considerably advanced in the arts of civilization and would, were they now placed upon a reservation where the fostering care of the government would be extended to them, soon make homes for themselves and live comparatively a happy and contented people. In consideration of these facts, Superintendent Geary, in 1859, selected a tract of country on the Chehalis river, at the mouth of Black river, for a reserve for the said Upper Chehalis, Cowlitz Indians, and from which I have since then endeavored to keep off white settlers, expecting that the government would approve of this reserve and place these Indians upon an equal footing with those parties to existing treaties.

In my estimate of funds required for the fiscal year ending June 30, 1863, I have estimated for the pay of one carpenter, one farmer, one blacksmith and one physician, and for the support of an agricultural and manual labor school, and also \$2,000 for the purchase of presents to be given to those Indians in lieu of annuity goods.

I would call your especial attention to this matter, knowing that these Indians would willingly and cheerfully remove to some reservation, the possession of which would be guaranteed them by the government. The Lower Chehalis and Chinooks could be confederated with the Quilaielts and Quileutes, with whom they would find their affinities, and they should share equally in the soil, schools, shops, and other privileges with their new confederates.

As I have been, as you see by the above, in charge of six different agents

and districts, and was therefore obliged to be almost constantly on the move between the same, and as it was for that reason impossible for me to attend to the making out of my accounts and papers myself, I employed a clerk on the 1st of April last at the lowest salary for which a competent person could be secured, but at is at \$100 per month, but which clerk I again discharged on the 30th of June, as I had been relieved from the charge of the Yakama district a few days previous to that date.

At the beginning of the second quarter I had some funds turned over to me by the late superintendent, with instructions to pay such liabilities as I had contracted during the first quarter as sub-agent, and in future to prevent as much as possible the incurring of new ones. You will remember, sir, that at the commencement of that quarter the first news about the troubled state of affairs in the east reached us; that at the first arrival of this news a panic seemed to take possession of the entire mercantile community; and that it was almost impossible to purchase anything on the credit of the government. These circumstances made it a very easy task to comply with the second part of my instructions, for the merchants would not trust the government, and therefore virtually prevented me from violating them. This feeling was carried so far that at one time I had to remain at Portland for nearly two weeks before I could get a United States check for \$3,000 cashed at par. Under these circumstances, and as the funds turned over to me were mostly of such appropriations for which I had no immediate use, and in order to sustain as much as possible in my power the credit of government, I found it necessary to apply in some instances funds from one appropriation to disbursements on account of others, and even to advance small amounts from my own private funds, for which the United States are now indebted to me. I was well aware at the time that these proceedings were not strictly legal, but believed that under the peculiar state of affairs I was not only justifiable in doing so, but that it was my absolute duty as an officer of the government to assist in overcoming certain difficulties under which, for a time, its credit was laboring.

I am happy to be able now to inform you that our merchants have, in a measure, recovered from this panic, that they are now willing to sell on the credit of the government, and have even offered to cash government drafts and checks, but the great difficulty now is, that I have no drafts or checks to cash.

The following table contains an approximate census of the Indian tribes with whom I have had official relations as Indian agent during the last year, to wit:

Indians, parties to the treaty of Medicine Creek.....	1,352 souls
Klallams and other bands of Indians, parties to the treaty of Point-no-Point.....	1,500 "
Quilaielts, Quileutes, and other allied bands and tribes, parties to the treaty of Olympia.....	600 "
Yakama nation, subject to the treaty of June 9, 1855.....	4,500 "
Wamish, Suquamish, and other bands and tribes, subject to the treaty of Point Elliot.....	5,000 "
Isakabs and other Indians, subject to the treaty of Neah Bay....	500 "
Upper Chehalis and Cowlitz Indians.....	450 "
Lower Chehalis and Chinook Indians.....	250 "

In making out the above table, I had to rely entirely upon my own knowledge of the different bands and tribes, and such informations as I received from old settlers and persons who had been living among them, as no correct census had ever been taken of them, with the exception of those parties to the treaty of Medicine Creek. These latter Indians will overrun the number above given, as at the time when the census was taken (at the last issue of annuity goods) some forty-five or fifty, with all of whom I was personally acquainted, were not present.

In the foregoing, I have endeavored to describe to you the conditions of the different tribes of Indians with whom I have had official connexion during the past year, and hope that said report may prove satisfactory.

Very respectfully, your obedient servant,

W. B. GOSNELL,

Indian Agent, Washington Territory.

WILLIAM W. MILLER, Esq.,

Supt. Indian Affairs for Wash. Ter., Olympia, W. T.



No. 72.

OFFICE OF MACKINAC INDIAN AGENCY,

Detroit, Mich., November 12, 1861.

SIR: I submit herewith my annual report of the condition of Indian affairs in this agency, so far as the brief period they have been under my supervision has enabled me to familiarize myself therewith.

I entered upon the duties of agent on the 4th day of May last. At the time it was my intention to visit the various bands of Indians during the summer, and ascertain, as far as practicable, their condition and necessities. In pursuance of this resolution, I proceeded to Isabella county, where a large majority of the Chippewas of Saginaw, Swan creek, and Black river are located, and spent several days on their reservation. Thence I proceeded to Saginaw or Saginaw bay, where others of the same tribe are located. Subsequently I visited the Ottawas and Chippewas, near Lake Michigan, in Ogemaw county. Also those residing at Sugar Island, Sault St. Marie, and Point St. Ignace, and proceeded thence to Kewanaw Bay, where the Chippewas of Lake Superior are located. Still more recently, in my annual tour for distributing annuities, I have visited the Ottawas and Chippewas of Grand Traverse, Leelanau, Traverse, Garden Island, and Mackinac.

I have thus been on most of their reservations, and have seen very many of them at their own homes. Yet these visits have necessarily been brief, and have been so generally devoted to business that I have not been able to study their condition, resources, character, and wants, as thoroughly as I could desire.

I have seen enough, however, to satisfy me that the condition of the Indians within the bounds of this agency is nearly the same as shown for the last few years by the reports of my predecessors.

With a portion of them—with all, perhaps, who abstain from the use of spirituous liquors—there is a perceptible progress in the customs and usage of civilized life. But this progress is slow.

The Indian does not change rapidly. He is slow to adopt the habits of his white neighbor. He does not readily perceive and appreciate the superiority of civilized over savage modes of life. He is glad to receive and enjoy the products of intelligent labor, but not quick to learn how to secure the prize by his own hands. He wonders at the energy and industry of his civilized neighbor, and at the marvellous products of his skilful toil, but is not easily aroused to follow his example, and secure, as he might, the same rich reward for directed labor. But still, as before remarked, there is with many perceptible progress.

Each year adds to the number of families that have settled on the lands granted them by treaty.

Gradually they are extending their improvements, adding to the number of acres brought under cultivation, and consequently increasing the produce of their little farms.

Each year also adds to the number of comfortable dwellings among them, and when an Indian finds himself the owner of a neat and comfortable residence, he naturally desires to have it better furnished than was his more primitive abode. Hence more furniture than heretofore is being gradually introduced; and it is doubtless true of the Indian, as well as the white man, though not, perhaps, to the same extent, that wants supplied awaken new desires; and hence, those who once begin to appreciate the superiority of well-furnished homes are likely to advance in civilization.

Those bands residing near the great lakes still depend, to a great extent, on fishing for a livelihood.

Hunting and trapping also are yet common among them. The bands in the interior, while still devoting considerable time to trapping and hunting, yet rely chiefly on the products of their little farms for their support. By most of them maple sugar is manufactured in large quantities. Not only is their supply for home consumption thus procured, but tens of thousands of pounds are every year exchanged for other necessities.

I have given as much attention as possible to the educational interests of the Indians. Some of the schools I found in good condition; others were languishing. I have endeavored to improve and elevate them, and I trust my labors in this direction have not been wholly in vain; yet I frankly confess that very many of the schools are still far from what they should be, and from what I hope to make them. It is difficult to obtain teachers possessing the natural qualifications calculated to insure success in these schools.

Many teachers, who succeed well among the whites, seem to lose their skill and power when Indian children become their pupils. Yet the great obstacle to the way of the success of these schools is the failure of parents to appreciate the importance of educating their children. Several of these schools I have visited in person, and I design to improve the earliest practicable opportunity to thus examine them all.

In this connexion, I desire to bear testimony to the zeal and earnestness with which the missionaries located among the Indians have, with a single exception, seconded my efforts, not only in behalf of their schools, but in all matters calculated to encourage, elevate, and improve them. Everywhere among the Indians bitter complaints are made that they have received no evidences of title to their lands. Several years have now elapsed since they commenced to locate and improve their lands, and yet none have received their certificates. Evil-disposed persons have told them that the government is not acting in good faith, and that no evidences of title will ever be furnished them. Some have believed this, and many more have feared it might be true. The consequence has been that some Indians have refused to occupy their land at all, and others who have ventured to do so have neglected making improvements, lest some one else should receive the fruit of their labors. Hence I am persuaded that the most important step that can be taken to encourage, and consequently to improve and elevate, the Indians is to put in their hands the evidences of ownership of the lands they have selected under the treaties. When they know the lands are their own, they will improve them much more rapidly than they now do. I will do all in my power to procure a speedy settlement of these land matters, and I invoke the aid of the department that this settlement may not be unnecessarily prolonged.

The lands selected are generally of good quality for agricultural purposes, and produce in abundance the various grains, grasses, and roots adapted to the latitude in which they are situated. Wherever I have met the Indians, I have urged them to devote more time and labor to the cultivation of the soil, as the best means of procuring a comfortable livelihood.

An abandonment of their roving life is the first step towards civilization, and

schools and missionaries can do them little good until this important point is gained. There is among the Ottowas and Chippewas a great want of working cattle and agricultural implements, nor are there funds at my disposal to supply this want; the seventy-five thousand dollars, to which they were entitled under the second clause of the second article of the treaty of July 31, 1855, being nearly exhausted.

This being the case, they have asked that a small amount may be advanced to them from year to year out of the \$206,000 that will be due them "at the expiration of ten years" from the making of the treaty, as specified in the fourth clause of the second article of the treaty above referred to. I earnestly recommend that their request be granted, and that five thousand dollars per year be advanced to them for the purchase of cattle, agricultural implements, building materials, &c. I am fully persuaded that this amount of money, thus expended, would do them ten-fold more good than if retained and paid them in strict accordance with the terms of the treaty. They are now just commencing on their lands, all are poor, and without means to purchase the nails, glass, sash and lumber for the houses which they are attempting to build.

Twenty-five dollars in building materials to an Indian thus situated, though in itself a trifle, is to him almost a fortune. It would furnish him the lumber, nails, &c., and his own hands will cut and hew and put up the logs, and complete a comfortable dwelling, if even the amount mentioned above is furnished by the government.

So, too, he can improve his land to but a very limited extent without working cattle and agricultural implements. These, of course, cost but little, but yet they are beyond the reach of the Indian. Now, just as they are commencing their improvements, they need help much more than they will after they shall have partially overcome the obstacles that all pioneers are compelled to meet. For these reasons, and others which might be given, I cordially indorse their request, and recommend that the amount above mentioned be advanced to them. I also call your attention to the first amendment to article 2d of the treaty with the Chippewas of Saginaw, Swan creek, and Black river, made August 2, 1855. By this amendment \$4,000 was set apart for the "purpose of purchasing a saw-mill, and in repairs of the same, and in adding thereto the necessary machinery and fixtures for a run of stone for grinding grain, the same to be located on the tract described in clause 2, article 1."

This clause, of necessity, refers to a particular mill, built many years ago and long since abandoned by its owner. I have visited and carefully examined the premises. The dam is gone; the mill is unroofed, and many of the timbers composing the frame are partially decayed. The stream on which the mill is built is so small that logs cannot be run down it to the mill, nor can lumber be rafted to the bay. There is no home market for lumber that might be there manufactured, and no means of transporting it to other markets.

Hence, no business man, in his right mind, would for a moment think of investing in said property, for the simple reason that such an investment would not pay. The purchase and fitting up of the mill would require all, and perhaps more than the four thousand dollars guaranteed in the treaty. And if put in running order, I am confident its earnings would be so trifling that not less than five hundred dollars per year would be required from other sources to keep it running. Hence I recommend that the amount promised for the purchase and repair of the mill be placed in the hands of the agent, with authority to expend it in the purchase of cattle, agricultural implements, building materials, household furniture, &c., for the benefit of the Indians located on Saginaw bay and in the vicinity of said mill.

In conclusion, I would add that I find the Indians everywhere interested in the momentous struggle in which the nation is now engaged. They have made of me many earnest inquiries about the war, and expressed in strong

emphatic terms their sympathy for their "Great Father," and the hope that he may succeed in crushing this wicked rebellion. Not a few of them have desired to enlist in the military service, and many of them could be induced to do so, if it were deemed best to encourage them. They are as truly loyal as any portion of our people, and as ready and willing to take up arms in defence of the government that protects and cares for them. Indeed, I have been highly gratified at the evidences of loyalty and affection for the government which they everywhere manifest. By kind and judicious treatment I am confident this feeling may be perpetuated.

Very respectfully, your obedient servant,

D. C. LEACH,
Indian Agent.

WM. P. DOLE, Esq.,
Commissioner of Indian Affairs, Washington, D. C.

No. 73.

AGENCY OF THE INDIANS RESIDING IN THE VICINITY OF GREEN BAY,
Portage, Wisconsin, September 27, 1861.

SIR: I enclose to you this day the reports of such employés as are required to make annual reports to this agency. These reports will be found so full and explicit as to render it quite unnecessary for me to make an extended communication of my first annual report. Early in June last I entered upon the discharge of the duties of this agency, at which time I visited the Stockbridge and Munsee and Menomonee reservations. In August I again visited those reservations, and also the Oneida reserve. The Oneidas are far advanced in civilization. Their farms are well fenced and tilled. They have a fine stock of cattle and horses, and but for the degrading vice of drunkenness the efforts of the federal government in their behalf would already have been crowned with perfect success. I held a council with them, and the chiefs and all the best men among them implored me to do something to check and, if possible, stop this dissipation. Liquors are procured at the settlements near the reserve with pine timber, which is cut on the reservation. The best timber on this reserve is already nearly exhausted. I have forbidden them to take any more away. They ask unanimously to have laws extended over them similar to those now in force in New York for the Indians of that State. The missionaries at Oneida, who also are the teachers for the children, are very worthy men, exercising a great and healthy influence on the reserve. During the past year there has been but little improvement on the Stockbridge and Munsee reservations. In taking the census and gathering other statistics, during last month, I did not find a single Munsee Indian on the reserve separated for him. What few there are in this State are found at or near their old residence at Stockbridge, on the east side of Lake Winnebago. Nearly one-half of the Stockbridges have also left their reserve, and are either at their old residences or scattered through the counties in the northeast part of this State. The Stockbridges are very much displeased with their location, and hence they leave it. Their crops of all kinds were looking very well when I was with them, but most of their lands required much labor to prepare for grain. Many improvements have been left half completed, and are fast going to decay. Their schools, though small, are quite well advanced, being supplied with excellent teachers.

The present year is one of much prosperity for the Menomonees. Many of them are quite ambitious to become good farmers and mechanics. Their fine crops the present season give them great encouragement. By another season

they will need many more oxen and cows, and a large amount of farming tools. I am told by those long acquainted with the Menomonees that there has been much less dissipation during the present than in previous years. The Menomonees' schools are supplied with able and efficient teachers, but some incentive is needed to attract scholars to the school-room, while parents yet have but little government over children at home. The farmer, miller, and blacksmith are well qualified for the positions they occupy. Their precept and example are good, and, so far as I am able to learn, their labors give very general satisfaction.

There is but one obstacle in the way which will prevent all these tribes from advancing rapidly in all the arts and accomplishments desirable in civilized life, and that obstacle is the infernal traffic in intoxicating drinks. If federal and State authority combined is strong enough to suppress this traffic, everything desirable can be accomplished, so far as the Indian tribes are concerned.

Very respectfully, your obedient servant,

M. M. DAVIS,
Indian Agent.

Hon. WM. P. DOLE,
Commissioner of Indian Affairs, Washington, D. C.

No. 74.

KESHENA, Wis., September 20, 1861.

SIR: In compliance with my duty, I herewith submit my first annual report. When I came here I was told that the Indians could not learn to tend the mills, but with careful and kind treatment have taught one of them to fill and take nearly all the care of the saw-mill, and another one to do much of the work in the grist-mill. They are very anxious to learn how to tend the mills, and are always ready and willing to do whatever is required of them. The saw-mill is of the old style, and cannot cut lumber enough to supply the wants of the Menomonees. From the 1st of September, 1860, to this date, the saw-mill has cut one hundred and eighty-nine thousand eight hundred and fifty-four (189,854) feet of lumber, which has been delivered to the Menomonees except what has been used about the mill and the mill house. The saw-mill is stocked with a good quantity of pine logs, sufficient to last the mill two years at least. From the 1st of September, 1860, to this date, I have ground seven thousand two hundred and ninety-three (7,293) bushels of grain; about one-half of this was for the Menomonees. All the seed which the Menomonees had to sow last fall was the toll which was taken at the mill for grinding for the white people. I have built a house and barn near the mills, since I came here for the miller.

Very respectfully, your obedient servant,

EDWIN R. MURDOCK,
Menomonee Mills.

M. M. DAVIS, Esq.
U. S. Indian Agent, Portage, Wisconsin.

No. 75.

KESHENA, September 17, 1861

SIR: I respectfully submit to you the following report of the industrial school under my charge. I feel a grateful pleasure in looking at the various indications of improvement which have become manifest since this school has been in operation.

tion. Those attending have in every instance abandoned their native costume, and I have much confidence that this will advance their civilization. The number of pieces of garments made by women and school girls, since my last report, is as follows: Pants for men, 109 pairs; for boys, 140 pairs. Shirts for men, 79; for boys, 82; skirts for women, 178. Gowns for women, 40. Dresses for girls, 77; skirts for girls, 120. Gowns for girls, 130. Other garments for women, 74; for girls, 110. Shrouds and sheets for the dead, 28. Sun-bonnets for girls, 20.

The yarn furnished for the school I distributed to women to knit at home, it being too coarse and heavy for young beginners.

Very respectfully,

JANE DOUSMAN.

M. M. DAVIS, Esq.

U. S. Indian Agent.

No. 76.

KESHENA, Wis., September 17, 1861.

SIR: I herewith submit to you my first annual report of the condition of the Menomonee Indians, which, I am glad to say, is improving. Their crops looked well early in the season, but about the time their spring wheat was in blossom the dry weather injured it very much, but the yield is very fair. Their rye never was better. I have just finished threshing wheat and rye, to the amount of three thousand bushels, and, to add to this, they have threshed two hundred bushels by hand. Their corn, potatoes, and beans will amount to three thousand bushels more. The Indians are very much encouraged with their success in farming this season. The majority of them are willing to work, and are inclined to enlarge their farms, but they are no economists. Their poorest lands were first cultivated, and are now nearly exhausted. They want more clearings, and to do this they want more teams. They have now only teams enough to supply one-fourth of the families. They want at least twenty more yoke of oxen, twenty wagons, twenty cable chains, four dozen ash scythes, eleven boxes of axes, and eleven grindstones. Several of their cattle are getting old—too old for work. With your permission I shall have them butchered this fall. I would recommend the purchase of a good-sized stallion, bought for the improvement of their horses. The season has been favorable for grass. The Indians have cut about 200 tons of hay, and put it in good shape. This, with their straw and corn fodder, will winter their stock. I have contracted with the young men for twenty-five tons of hay for the barns. But the cattle cannot work on this wild hay alone; therefore they will need about twenty tons of shorts or cornmeal. Last winter they were furnished with grain, which enabled a great many cattle to work, which otherwise could not have worked at all. The Menomonees have under cultivation about 400 acres of land, nearly all enclosed with good fences. Their improvements this last year have been more than in any two previous years. They have built about twenty-eight frame houses, and six or eight of logs. We have out two hundred bushels of rye, which was bought last winter for seed, and intend to have it all sown this fall. Last spring about 1,000 bushels of potatoes were distributed among the Indians; many of these were planted. So I think they will have enough to supply them this winter, and for seed next spring. I have planted six acres of potatoes on the farm under my charge, and they bid fair to be a good yield. When I came here I found the roads, buildings, and fences in rather a poor condition, and in order to repair these I had hire a good deal of team work done. While I have been making out this

report the Menomonees have lost two more exen—one from over work, and one from the effects of a cut received from some Indian while it was stealing corn. The Menomonees need from 150 to 200 cows. I am confident that number could be well taken care of, and then in a few years they would be able to replace some of their working cattle.

Very respectfully, your obedient servant,

HARMAN H. MARTIN,
Menomonee Teacher.

M. M. DAVIS, Esq.,
U. S. Indian Agent, Portage City, Wisconsin.

No. 77.

KESHENA, Wis., September 7, 1861.

SIR: In compliance with established regulations, I herewith submit my first report of the male school at this place, under my charge since the 1st of July last. The number of scholars in attendance during the time I have been in charge of this school has not been as large as I hoped it would be, although I did not expect it would be very large, owing to several reasons, the most important of which is because it has been that particular season of the year that berries are ripe for gathering, and large numbers have removed to different localities to hunt and fish, and allowing their families to gather their wild fruits for winter use. Notwithstanding this, and many other reasons I will not now mention, the average attendance has been fifteen (15) per day, an increase of fifty per cent. on any previous quarter since the establishment of the school. The progress made by those who have attended the school regularly far exceeds my sanguine expectations. When I first commenced teaching this school there was scarcely a scholar that could read intelligibly; now I have a class that read Sanders's Third Reader, another in Sanders's Second Reader, besides others who read very distinctly and well in books of a lower grade. I have a class in mental arithmetic which has made excellent progress, also a class in geography which is progressing finely. The health of the scholars has been remarkably good this season; temperance in eating and drinking, cleanliness and domestic industry, are virtues which I have endeavored to teach them to cherish and practice as the best antidote against all kinds of disease.

Very respectfully, your obedient servant,

MYRON M. CORD, JR., *Teacher, &*

Hon. M. M. DAVIS,
Indian Agent, Portage, Wisconsin.

No. 78.

KESHENA, September 14, 1861.

SIR: I herewith submit to you my annual report of the Menomonee school. It gives me much pleasure to state that it continues to progress, that much has been achieved for the general benefit of the scholars. The school has been very pleasant and easily governed, and I think we have good reason to feel gratified at the progress made in the past year, and to anticipate much for the future. Improvement in habits of industry, cleanliness, and proper demeanor is worthy of note, and some have attained a good proficiency in

elementary branches of an English education. Our school, with few exceptions, has been well attended for the past year; the scholars having acquired the habit to "go to school," they consider it a part of their duty in order to become civilized, which is the desire of the Menomonees; their former pagan habits are fast giving way to the more refined customs of the whites. The number of scholars who have attended during the year is eighty-three; average of daily attendance, from thirty-eight to fifty-two. The studies pursued are reading, writing, arithmetic, geography, and grammar, and all are carefully trained to spell from memory. I cannot close this report without expressing my pleasure at the deep interest you manifest in the advancement of education. May the youthful assemblage in the Menomonee girl school reward you by being more punctual at school and diligent at their studies.

Very respectfully,

ROSALIE DOUSMAN, *Teacher.*

M. M. DAVIS, Esq.,

Indian Agent, Portage City, Wisconsin.

No. 79.

KESHENA, Wis., September 13, 1861.

SIR: Having been instructed to make annually a report of the condition of the Menomonee blacksmith shop under my charge, I herewith submit the following:

When I was appointed to this place, July 17, 1860, I found the shop and tools in a very bad condition and the stock of iron very low, but, on applying to our predecessor, Colonel A. D. Bonesteel, I was promptly furnished with shop tools and iron, so as to put the shop in a much better condition. During the past year I have had one assistant up to December 1, 1860, and since that time I have two assistants. My first assistant was a sober, industrious, moral Indian; has formerly had some experience in the business, and is now nearly a second-class workman. My second assistant has had no experience except what he has had since he has been with me, but he has improved very fast, and is now an excellent hand.

I have made and delivered 60 pairs of strap hinges, 150 chain trammels, 50 bar trammels, 67 tapping gouges, 24 squaw axes, 24 grub hoes, 250 fish spears, 40 rat spears, 7 frows, 8 sets of drag teeth, ironed 1 pair of bob sleighs, 1 cutter, 4 sets singletrees, 4 neck yokes, 4 wagon boxes, made 500 bark and buckskin awls, 300 crooked knives, 5 new plough cutters, shod new 30 yoke of oxen and 30 ponies; the balance of the time has been occupied in repairing wagons, ploughs, haying tools, grist and saw mill tools, stores, traps, guns, &c.

I have had delivered 852½ bushels of charcoal; at the present time I have only about 50 bushels. I have some remnants of iron and steel, say about 600 pounds in all. I am satisfied that not more than one-half of the demands for work have been met.

The demands for work at the shop in the agricultural department are largely increased. The calls for shoeing and for hunting implements do not diminish. I respectfully ask instructions as to what calls shall have preference, or if all shall suffer equally.

Very respectfully, your obedient servant,

HARVEY FIELDS,

Blacksmith for Menomonee Indians.

M. M. DAVIS, Esq.,

Indian Agent, Portage City, Wisconsin.

No. 80.

SHAWANO COUNTY, *Wisconsin*, September 13, 1861.

SIR: The east district school, under my charge, is small, having only fifteen scholars, seven of whom are males, and eight females. The attendance of these has been more regular this last year than in any time since the tribe removed upon their new homes. The greatest number in attendance at any one time was twelve, and, being mostly small, their advance has been rather slow, but perceptible, being trained in reading, spelling, simple arithmetic, writing, and singing. The books used are Sanders's 1st, 2d, and 3d Readers, and also his Primer, Sanders's Speller, Cornell's Primary Geography, and Thompson's Mental Arithmetic, parts first and second, and his larger work.

The school was greatly encouraged a short time since to renewed study by the presentation of nice books purchased by the tribe, and the children are at present doing their utmost to prepare for an anticipated pic-nic, to be holden upon the reserve, where an examination in the studies will be made before the headmen of the tribe and the parents of the children.

Very respectfully, your obedient servant,

SARAH J. SLINGERLAND *Teacher.*

M. M. DAVIS, Esq.,

U. S. Indian Agent, Portage City, Wisconsin.

No. 81.

PROTESTANT EPISCOPAL ONEIDA INDIAN MISSION.

Oneida, Wisconsin, September 3, 1861.

SIR: The school of the first Christian party of Oneidas commenced the term of 1860-'61, on the first day of October, 1860, and closed on the seventh day of June, 1861. Enclosed please find a copy of my register of days kept, and of the attendance of the children. You will be able to see from it much better than I can explain by words the great irregularity of attendance of most of the scholars. Not one attended every day, if they had they would have made rapid progress. I would suggest that if the department would grant a small sum for the purchase of articles of clothing to be given to those who attend school the better and behave with the greatest propriety, it would have a good effect upon them and would teach them a lesson of great value to them through life, viz: that success depends upon their own exertions. Most of the parents exercise no control over their children; they attend school if they choose, but, if not, they do not compel them. This is known as the school of the first Christian party of Oneidas. Thirty-two boys and twenty-four girls attended last term. There is but one teacher. It is under the charge of the Protestant Episcopal Church. The church contributes no specified sum for the support of the school, but what is needed for building or repairs it contributes through individual members when necessary. Within the last eight years the church has thus given about \$400 for the benefit of the school. The Indians contribute the firewood. There are two missionaries in the tribe: one of the M. E. Church, located in the southwestern part of the reservation; one of the P. E. Church, located in the northeastern part. Since you were here that portion of the tribe which was in the habit of drinking has paid no heed to your advice, but has rather increased than decreased in drunkenness. It appears that the whiskey sellers and the drinking Indians are determined to defy, in the most contemptuous manner, your noble resolve to save the Indians from folly and destruction by putting a stop to the liquor traffic among them. I sincerely trust and pray that you may be able to accomplish this most desirable work. You will by so doing strengthen the hands and resolve

he hearts of those appointed as missionaries and teachers, and will also confer an everlasting blessing upon the Indians. The crops look well; there has been more grain sown the past year than ever before. The Indians ought to be encouraged to cultivate the soil and to support themselves.

Very respectfully,

E. A. GOODOUGH.

M. M. DAVIS, Esq.,
Indian Agent, Portage, Wisconsin.

No. 82.

SHAWANO COUNTY,
Wisconsin, September 13, 1861.

SIR: In compliance with duty, I hasten to forward to you my annual report. The school under my charge does not report the numbers it did the last year, owing to the removal of many families from the reservation to seek a livelihood in some other locality. Still there have been thirty-three different scholars, fifteen males and eighteen females, with an average attendance of sixteen, and not more than twenty-five at any one time. Of these, fourteen have gone through Cornell's Primary Geography, and five Cornell's Intermediate. Much pains have been taken to drill the children so as to be thorough, and there are but few questions in general geography which they cannot answer with readiness. Most of those who were in Thompson's Mental last year are now in his larger arithmetic, and cyphering in the first four rules with commendable progress. The larger scholars are toiling in fractions, decimals, and in interest. A class of four have read through Sanders's Fifth Reader, and are going over it a second time. A class of nine are just ready to leave Sanders's Third Reader and go into his Fourth. If there is any department in which the first and second classes excel, it is in spelling, as small rewards have been given to the best in Sanders's Speller. Fewer in number have occupied this year in writing, owing to the want of stationery; these have made good advances. The teacher is encouraged to renew his efforts in this great and responsible work of aiding to bring forward an intelligent generation, and is aiming to advance some sufficiently to be teachers, to take the place of those now on the stage of action.

Very respectfully, your obedient servant,

JEREMIAH SLINGERLAND,
Teacher among the Stockbridges and Munsees.

M. M. DAVIS, Esq.,
United States Indian Agent.

No. 83.

DEPARTMENT OF THE INTERIOR,
November 30, 1861.

SIR: I have the honor to report, in compliance with the verbal order of the Secretary of the Interior, the condition of the Indian trust fund, at the date of its transfer from the custody of the department proper to your charge as Commissioner of Indian Affairs.

At the date of the annual report of your predecessor, of November 30, 1860, the clerk in charge, G. Bailey, reported the amount of the trust fund to be \$3,396,241 82; on the 22d December following, however, according to the testimony of the late Secretary of the Interior, (see House report, No. 78, of

select committee on the abstracted trust bonds, 36th Congress, 2d session,) the fact was first made known to him that 870 bonds, of the denomination of \$1,000 each, had been abstracted by said Bailey from the above-named fund. Upon an examination of the contents of the safe, it was discovered that, in addition to the 870 bonds confessed to have been taken by Bailey, and receipted for by Russell, Majors, and Waddell, one more bond of \$1,000 of the State of Indiana issue was missing. By the correspondence on file in the department, it is shown that this bond had passed into the possession of Hon. G. N. Fitch, (see Exhibit G, page 339, report of select committee.) These deficits reduced the amount \$3,396,241 82, alleged by Bailey to have been on hand November 30, 1860, to \$2,525,241 82, which amount remained in the safe at the time of the removal of the fund from my custody, (see report of a committee, appointed by the Secretary of the Interior, of which you were chairman, of date May 4, 1861.) Upon a careful examination of all the data, and comparison of the records in the department, the accompanying tables, Nos. 1, 2, and 3, are based, and show the abstracted bonds to have belonged to the following tribes, viz :

Tribes.	Per ct.	No. of bonds.	Value of bond.	Amount.
Delaware general fund, ...	6	514	\$1,000 00	\$514,000 00
Ioways	6	77	1,000 00	77,000 00
Kaskaskias, Peorias, &c.	6	196	1,000 00	196,000 00
Cherokee general fund	6	68	1,000 00	68,000 00
Cherokee school fund.....	6	15	1,000 00	15,000 00
Pottawatomies, education.....	6	1	1,000 00	1,000 00
Total.....	-----	871	-----	871,000 00

Referring to these tables, it is proper to state that they exhibit, in detail, the condition of the trust fund on the 4th May last, as to the various tribes to whom funds have been originally invested, the net annual income, the deficit of stocks, and the deficit of interest arising from the abstraction of the bonds. In regard to the collection of interest, and other business in connexion with the disbursing desk, during my incumbency, as also for a full statement of the contents of the safe, I beg leave to refer you to my report made to your office on the 31st of May last.

Very respectfully, your obedient servant,

JOSEPH A. WILLIAMSON,

Clerk, late in charge of Indian trust fund

Hon. WM. P. DOLE,

Commissioner of Indian Office.

No. 84.

INDIAN TRUST FUND STATEMENT.

No. 1.—*List of Indian tribes for whom stock is held in trust by the Secretary of the Interior, showing the amount at present to the credit of each tribe, their net annual income, the date of the treaty or law under which the investments were made; also amount of deficits arising from the abstraction of trust fund bonds during the year 1860.*

Tribe.	Treaty.	Am't of stock now on hand.	Net annual income.	Deficit of stock.	Deficit of interest.
Cherokee national fund.	December 29, 1835.	\$449,961 39	\$24,834 93	\$68,000 00	\$4,080 00
Cherokee orphan fund.	do.	45,000 00	2,700 00	.....	.....
Cherokee school fund.	February 27, 1819..	182,600 00	10,948 00	15,000 00	900 00
	and Dec. 29, 1835 ..	182,600 00	10,948 00	.....	.....
Chickasaw incompetents..	May 24, 1831	2,000 00	100 00	.....	.....
Chickasaw orphans.	do.	4,303 71	222 22	.....	.....
Chippewa and Christian Indians.	July 16, 1859	5,587 49	335 24	.....	.....
Choctaw general fund.	January 17, 1837..	453,734 71	27,224 08	.....	.....
Choctaw school fund.	September 27, 1830.	98,391 79	5,903 52	.....	.....
Creek orphans.	March 24, 1832....	200,742 60	11,694 55	.....	.....
Delaware general fund.	May 6, 1854.	402,594 53	24,070 68	514,000 00	30,840 00
Delaware school fund.	September 24, 1820.	7,806 28	468 38	.....	.....
Deways.	May 17, 1854	67,000 00	4,120 00	77,000 00	4,620 00
Kansas schools.	June 3, 1825	26,555 00	1,503 30	.....	.....
Kaskaskias, Peorias, &c	May 30, 1854	123,000 00	7,500 00	126,000 00	11,760 00
Menomonees.	September 3, 1836..	153,403 58	8,944 22	.....	.....
Misses, schools.	June 2, 1825	31,724 02	1,903 44	.....	.....
Misses of Blanchard's Fork	August 30, 1831	8,472 22	508 40	.....	.....
Misses of Roche de Bouf.	do.	1,571 13	94 26	.....	.....
Misses and Chippewas.	March 28, 1836	20,225 74	1,245 54	.....	.....
Ottawatomies, education.	September 28, 1833.	163,728 44	8,076 24	1,000 00	50 00
Ottawatomies, mills	do.	50,000 00	2,250 00	.....	.....
Ottawatomies	Acts of Congress June 14, 1836, and January 9, 1837.	5,000 00	250 00	.....	.....
Poncas and Shawnees.	do.	16,466 10	822 26	.....	.....
Stockbridges and Munsees.	September 3, 1839..	5,204 16	312 24	.....	.....
		2,525,241 82	147,102 90	871,000 00	52,250 00

No. 85.

INDIAN TRUST FUND.

No. 2.—*Statement of stock account, exhibiting in detail the securities in which the funds of each tribe are invested; also the deficits arising from the abstraction of trust fund bonds in 1860, with the amounts now in hand.*

CHEROKEE NATIONAL FUND.

Stock.	Per cent.	Original am't.	Am't abstracted.	Am't on hand.
State of Florida	7	\$7,000 00	-----	\$7,000 00
Georgia	6	1,500 00	-----	1,500 00
Kentucky	5	94,000 00	-----	94,000 00
Louisiana	6	7,000 00	-----	7,000 00
Maryland.....	6	761 39	-----	761 39
Missouri	6	50,000 00	\$50,000 00	-----
North Carolina.....	6	20,000 00	13,000 00	7,000 00
South Carolina.....	6	117,000 00	-----	117,000 00
Tennessee.....	5	125,000 00	-----	125,000 00
Tennessee.....	6	5,000 00	5,000 00	-----
Virginia.....	6	90,000 00	-----	90,000 00
Total.....	-----	517,261 39	68,000 00	449,261 39

CHEROKEE ORPHAN FUND.

State of Virginia	6	\$45,000 00	-----	\$45,000 00
Total	-----	45,000 00	-----	45,000 00

CHEROKEE SCHOOL FUND.

State of Florida	7	\$7,000 00	-----	\$7,000 00
Louisiana	6	2,000 00	-----	2,000 00
Missouri	5½	10,000 00	-----	10,000 00
North Carolina.....	N. C. 6	21,000 00	\$8,000 00	13,000 00
South Carolina.....	S. C. 6	1,000 00	-----	1,000 00
Pennsylvania.....	P. 5	4,000 00	-----	4,000 00
Tennessee.....	6	7,000 00	7,000 00	-----
Virginia.....	6	135,000 00	-----	135,000 00
United States.....	6	5,800 00	-----	5,800 00
State of Missouri.....	6	5,000 00	-----	5,000 00
Total	-----	197,800 00	15,000 00	182,800 00

CHICKASAW INCOMPETENTS.

State of Indiana	5	\$2,000 00	-----	\$2,000 00
Total.....	-----	2,000 00	-----	2,000 00

CHICKASAW ORPHANS.

State of Arkansas.....	5	\$3,000 00	-----	\$3,000 00
United States.....	6	1,203 71	-----	1,203 71
Total.....	-----	4,203 71	-----	4,203 71

No. 2—Continued.

CHIPPEWA AND CHRISTIAN INDIANS.

Stock.	Per cent.	Original am't.	Am't abstracted.	Am't on hand.
State of Missouri.....	6	\$5,000 00	-----	\$5,000 00
United States.....	6	587 42	-----	587 42
Total.....	-----	5,587 42	-----	5,587 42

CHOCTAW GENERAL FUND.

State of Missouri.....	6	\$2,000 00	-----	\$2,000 00
United States.....	6	1,734 71	-----	1,734 71
State of Virginia.....	-----	450,000 00	-----	450,000 00
Total.....	-----	453,734 71	-----	453,734 71

CHOCTAW SCHOOL FUND.

State of Missouri.....	6	\$19,000 00	-----	\$19,000 00
United States.....	6	79,391 79	-----	79,391 79
Total.....	-----	98,391 79	-----	98,391 79

CREEK ORPHANS.

State of Kentucky.....	5	\$1,000 00	-----	\$1,000 00
Missouri.....	5½	28,000 00	-----	28,000 00
Missouri.....	5	28,000 00	-----	28,000 00
United States.....	6	49,942 60	-----	49,942 60
State of Virginia.....	6	73,800 00	-----	73,800 00
Tennessee.....	5	20,000 00	-----	20,000 00
Total.....	-----	200,742 60	-----	200,742 60

DELAWARE GENERAL FUND.

State of Florida.....	7	\$59,000 00	-----	\$59,000 00
Georgia.....	6	2,000 00	-----	2,000 00
Louisiana.....	6	4,000 00	-----	4,000 00
Missouri.....	6	341,000 00	\$280,000 00	61,000 00
North Carolina.....	6	341,000 00	220,000 00	121,000 00
Ohio.....	6	150,000 00	-----	150,000 00
Pennsylvania.....	5	55,000 00	-----	55,000 00
South Carolina.....	6	1,000 00	-----	1,000 00
Tennessee.....	6	14,000 00	14,000 00	-----
United States.....	6	594 53	-----	594 53
Total.....	-----	916,594 53	514,000 00	402,594 53

No. 2—Continued.

DELAWARE SCHOOL FUND.

Stock.	Per cent.	Original am't.	Am't abstracted.	Am't on hand.
United States.....	6	\$7,806 00	-----	\$7,806 00
Total.....	-----	7,806 00	-----	7,806 00

IOWAYS.

State of Florida.....	7	\$22,000 00	-----	\$22,000 00
Louisiana.....	6	9,000 00	-----	9,000 00
Missouri.....	6	15,000 00	\$15,000 00	-----
North Carolina.....	6	63,000 00	42,000 00	21,000 00
Pennsylvania.....	5	12,000 00	-----	12,000 00
South Carolina.....	6	3,000 00	-----	3,000 00
Tennessee.....	6	20,000 00	20,000 00	-----
Total.....	-----	144,000 00	77,000 00	67,000 00

KANSAS, (SCHOOLS.)

State of Missouri.....	5½	\$18,000 00	-----	\$18,000 00
Missouri.....	6	2,000 00	-----	2,000 00
United States.....	6	6,555 00	-----	6,555 00
Total.....	-----	26,555 00	-----	26,555 00

KASKASKIAS, PEORIAS, &c.

State of Florida.....	7	\$37,000 00	-----	\$37,000 00
Louisiana.....	6	15,000 00	-----	15,000 00
Missouri.....	6	25,000 00	\$25,000 00	-----
North Carolina.....	6	117,000 00	74,000 00	43,000 00
Pennsylvania.....	5	25,000 00	-----	25,000 00
South Carolina.....	6	3,000 00	-----	3,000 00
Tennessee.....	6	97,000 00	97,000 00	-----
Total.....	-----	319,000 00	196,000 00	123,000 00

MENOMONEES.

State of Kentucky.....	5	\$77,000 00	-----	\$77,000 00
Missouri.....	6	9,000 00	-----	9,000 00
Tennessee.....	5	19,000 00	-----	19,000 00
United States.....	6	48,403 58	-----	48,403 58
Total.....	-----	153,403 58	-----	153,403 58

No. 2—Continued.

OSAGES, (SCHOOLS.)

Stock.	Per cent.	Original am't.	Am't abstracted.	Am't on hand.
State of Missouri	6	\$7,000 00	-----	\$7,000 00
United States	6	24,724 00	-----	24,724 00
Total	-----	31,724 00	-----	31,724 00

OTTAWAS OF BLANCHARD'S FORK

State of Missouri	6	\$8,000 00	-----	\$8,000 00
United States	6	473 22	-----	473 22
Total	-----	8,473 22	-----	8,473 22

OTTAWAS OF ROCHE DE BOEUF.

State of Missouri	6	\$1,000 00	-----	\$1,000 00
United States	6	571 13	-----	571 13
Total	-----	1,571 13	-----	1,571 13

OTTAWAS AND CHIPPEWAS.

State of Missouri	6	\$10,000 00	-----	\$10,000 00
Tennessee	5	1,000 00	-----	1,000 00
United States	6	6,925 74	-----	6,925 74
State of Virginia	6	3,000 00	-----	3,000 00
Total	-----	20,925 74	-----	20,925 74

POTTAWATOMIES, (EDUCATION.)

State of Indiana	5	\$68,000 00	\$1,000 00	\$67,000 00
Maryland	6	80,850 43	-----	80,850 43
Missouri	6	5,000 00	-----	5,000 00
United States		10,946 01	-----	10,946 01
Total	-----	164,796 44	1,000 00	163,796 44

No. 2—Continued.

POTTAWATOMIES, (MILLS.)

Stock.	Per cent.	Original am't.	Am't abstracted.	Am't on hand.
State of Maryland	6	\$50,000 00	.....	\$50,000 00
Total .....	.....	50,000 00	.....	50,000 00

SENECAS.

State of Kentucky	5	\$5,000 00	.....	\$5,000 00
Total.....	.....	5,000 00	.....	5,000 00

SENECAS AND SHAWNEES.

State of Kentucky	5	\$6,000 00	.....	\$6,000 00
Missouri	5½	7,000 00	.....	7,000 00
Missouri	6	3,000 00	.....	3,000 00
United States.....	6	466 10	.....	466 10
Total.....	.....	16,466 10	.....	16,466 10

STOCKBRIDGES AND MUNSEES.

United States	6	\$5,204 16	.....	\$5,204 16
Total.....	.....	5,204 16	.....	5,204 16

No. 86.

INDIAN TRUST FUND STATEMENT.

No. 3.—*List of stocks held by the Secretary of the Interior in trust for Indian tribes, exhibiting the amount originally invested, the amount abstracted, and the amount now on hand.*

State.	Per cent.	Original amount.	Am't abstracted.	Amount on hand.
Arkansas	5	\$3,000 00	-----	\$3,000 00
Florida	7	132,000 00	-----	132,000 00
Georgia	6	3,500 00	-----	3,500 00
Indiana	5	70,000 00	\$1,000 00	69,000 00
Kentucky	5	183,000 00	-----	183,000 00
Louisiana	6	37,000 00	-----	37,000 00
Maryland ^o	6	131,611 82	-----	131,611 82
Missouri	5½	63,000 00	-----	63,000 00
Missouri	6	484,000 00	370,000 00	114,000 00
North Carolina	6	562,000 00	357,000 00	205,000 00
Ohio	6	150,000 00	-----	150,000 00
Pennsylvania	5	96,000 00	-----	96,000 00
South Carolina	6	125,000 00	-----	125,000 00
Tennessee	5	165,000 00	-----	165,000 00
Tennessee	6	143,000 00	143,000 00	-----
United States	6	251,330 00	-----	251,330 00
Virginia	6	796,800 00	-----	796,800 00
Total	-----	3,396,241 82	871,000 00	2,525,241 82

DEPARTMENT OF THE INTERIOR, November 30, 1861.

^o Taxed by the State.

No. 87.—Statement of bonds held by Secretary of the Interior in trust for Indian tribes of States now in rebellion against the government.

States.	Per cent.	Stock.	Tribes.	Shares.	Interest—when payable.	Interest—last date paid up to.	Interest due—			
							July 1, 1861.	October 1, 1861.	November 1, 1861.	Total interest due.
Arkansas.....	5s.	\$3,000 00	Chickasaw orphans*.....	\$3,000 00	January 1 and July 1.	January 1, 1855..	\$975 00	.....	.....	\$975 00
Florida.....	7s.	125,000 00	Cherokees, national fund...	7,000 00	January 1 and July 1.	July 1, 1861.....	.....	.....	.....	.....
			Cherokees, schools.....	7,000 00	do.....	do.....	.....	.....	.....	.....
			Delawares, general fund...	59,000 00	do.....	do.....	.....	.....	.....	.....
			Ioways†.....	22,000 00	do.....	do.....	70 00	.....	.....	70 00
			Kaskaskias, Peorias, &c....	37,000 00	do.....	do.....	.....	.....	.....	.....
Georgia.....	6s.	3,500 00	Cherokees, national fund...	1,500 00	January 1 and July 1.	January 1, 1861.....	45 00	.....	.....	105 00
			Delawares, general fund...	2,000 00	do.....	do.....	60 00	.....	.....	.....
			Kaskaskias, Peorias, &c....	10,000 00	April 1 and October 1.	October 1, 1860...	.....	\$600 00	.....	600 00
Louisiana.....	6s.	97,000 00	Cherokees, national fund...	7,000 00	May 1 and Nov. 1....	November 1, 1860...	.....	.....	\$430 00	.....
			Cherokees, schools.....	2,000 00	do.....	do.....	.....	.....	120 00	.....
			Delawares, general fund...	4,000 00	do.....	do.....	.....	.....	240 00	.....
			Ioways.....	9,000 00	do.....	do.....	.....	.....	640 00	.....
			Kaskaskias, Peorias, &c....	5,000 00	do.....	do.....	.....	.....	300 00	1,620 00
North Carolina.....	6s.	170,000 00	Delawares, general fund...	121,000 00	April 1 and October 1.	October 1, 1860...	.....	7,900 00	.....	.....
			Ioways.....	17,000 00	do.....	do.....	.....	1,000 00	.....	.....
			Kaskaskias, Peorias, &c....	41,000 00	do.....	April 1, 1861.....	.....	14,820 00	.....	9,510 00
			Kaskaskias, Peorias, &c....	1,000 00	do.....	do.....	.....	.....	.....	.....

South Carolina	6a. 125,000 00	Cherokees, schools	13,000 00	do.....	do.....	750 00	1,560 00
		Ioways	4,000 00	do.....	do.....	940 00	
		Kaskaskias, Peorias, &c.....	2,000 00	do.....	do.....	180 00	
			26,000 00				
Tennessee	5a. 165,000 00	Cherokees, national fund.....	117,000 00	January 1 and July 1.....	July 1, 1860.....	7,020 00	7,500 00
		Cherokees, schools	1,000 00	do.....	do.....	60 00	
		Delawares, general fund.....	1,000 00	do.....	do.....	60 00	
		Ioways	3,000 00	do.....	do.....	180 00	
Virginia	6a. 798,800 00	Kaskaskias, Peorias, &c.....	3,000 00	do.....	do.....	180 00	5,135 00
			125,000 00				
		Cherokees, national fund.....	125,000 00	January 1 and July 1.....	January 1, 1861.....	3,125 00	
		Creek orphans	30,000 00	do.....	do.....	1,000 00	
		Manumoes	19,000 00	do.....	do.....	950 00	23,904 00
		Ottawas and Chippewas.....	1,000 00	do.....	do.....	50 00	
			165,000 00				
		Cherokees, national fund.....	90,000 00	January 1 and July 1.....	January 1, 1861.....	9,700 00	
		Cherokees, schools	125,000 00	do.....	do.....	4,050 00	50,969 00
		Cherokee orphans	45,000 00	do.....	do.....	1,350 00	
		Choctaw general fund.....	450,000 00	do.....	do.....	13,500 00	
		Creek orphans	73,800 00	do.....	do.....	9,214 00	
		Ottawas and Chippewas.....	3,000 00	do.....	do.....	90 00	
			798,800 00				

* 6½ years' interest, at \$150 per annum, due.

† \$20,000 paid on, leaving half year's interest due on \$2,000.

OFFICE INDIAN AFFAIRS, November 27, 1861.

No. 88.

Statement indicating the schools, population, and wealth of the different Indian tribes which are in direct connexion with the Government of the United States.

Tribe.	Designation and locality of schools.	Number of teachers.	Scholars.			Under what charge.	Population.			Wealth in individual property.	Annual appropriations, as annuity and other benefits stipulations.	Number of farms.	Acres cultivated.		Number of missionaries and of what denomination.
			Males.	Females.	Total.		Males.	Females.	Total.				By Indians.	By government.	
NEW YORK AGENCY.															
Cayugas and Onondagas, with Senecas.	Same as with Senecas.	6	98	79	177	State of N. York.	68 73 431	83 87 440	151 160 861	\$12,300 00 14,500 00 60,000 00	..... ..... .....	..... ..... .....	..... ..... .....	..... ..... .....	Same as with Senecas. 1 Meth't., 1 Congregational. 1 Baptist, 1 Methodist, 1 Congregational. 1 Baptist.....
Do.....	7 State Free, Cattaraugus.	7	185	165	350	do.....	605	690	1,295	125,000 00	.....	.....	.....	.....	.....
Do.....	9 State Free, Tonawanda.	2	68	52	120	do.....	305	320	625	85,000 00	\$3,553 00	.....	.....	.....	.....
Onondas	2 State Free, Oneida.	2	45	94	69	do.....	97	92	189	17,000 00	11,902 50	.....	.....	.....	.....
Oneidas and Onondagas....	1 State Free, Onondaga.	1	20	94	44	do.....	{ 37 147	{ 43 151	{ 80 998	{ 10,000 00 44,000 00	..... .....	..... .....	..... .....	..... .....	..... .....
Tuscaroras.....	1 State Free, Tuscarora.	2	47	35	82	do.....	159	175	334	97,000 00	.....	.....	.....	.....	.....
Oneidas with Tuscaroras..	Tuscarora.....	.....	.....	.....	.....	.....	10	12	22	.....	.....	.....	.....	.....	.....
* Thomas Orphan Asylum, at Cattaraugus.	*	.....	30	22	52	Society of Friends	.....	.....	.....	.....	.....	.....	.....	.....	.....
MICHIGAN AGENCY.															
Chippewas of Lake Superior.....	L'Anne Bay, near Sault Ste Marie.	1	23	25	48	Methodist.	460	500	960	.....	.....	.....	.....	.....	1 Methodist. 1 Catholic. 3 Methodists.

[illegible]

* This institution cost, with land, \$4,581 50, and has received annually from the State, \$1,000; Society of Friends, \$300; Indian Office, \$500; A. B. C. F. M., \$100.
† \$666 67 applied under treaty stipulations annually for their schools.

+ \$666 67 applied under treaty stipulations annually for their schools.

No. 88.—Statement indicating the schools, population, and wealth of the different Indian tribes, &c.—Continued.

Tribe.	Designation and locality of schools.	Number of teachers.	Scholars.			Under what charge.	Population.			Wealth in individual property.	Annual appropriations, as annuity and other benefits.	Number of arms.	Acres cultivated.		Number of what denominations.
			Males.	Females.	Total.		Males.	Females.	Total.				By Indians.	By government.	
AGENCY FOR THE CHIPPEWAS OF LAKE SUPERIOR.	2 at Odanah.....	6	26	28	54	Home Missionary			4,266		\$48,146 66				1 Presbyterian...
	1 at La Pointe.....	1	20	23	43										2 Catholic.....
	1 at Grand Portage.....	1	13	14	26	R. Catholic.....									
AGENCY FOR THE SIOUX OF MINNESOTA.	1 Lower Agency.....	6	20	25	45		1,231	1,316	2,547	\$71,840 00					
	1 Wakulla Village.....	1	10	4	14										
	1 Redwood Village.....	2	15	23	37										
	1 Hazelwood Mission.....	2	5	9	14	A. B. O. F. Mission	1,680	2,463	4,363	80,600 00					8 missionaries...
Upper Annuity Sioux.....	1 Upper Agency.....	1	6	4	10										
	1 Rush Brook.....	1	6	11	17	A. B. O. F. Mission									
	1 Rush Brook.....	1	44	13	57										
	1 Hazelwood.....	2	59	15	74										
Yanktonia.....	1 Lac qui Parle.....	1													
	1 Big Stone Lake.....	6	3	11	14										
	1 Lower Agency.....	3	17	17	34	Episcopal Church.	973	1,552	2,525	97,350 00					
	1 Wakulla Village.....	1	16	10	26					94,410 00			380	840	
Sisseton and Waupeton, or Upper Sioux.....	1 Red Wood Village.....	2	28	16	44										
	2 Rush Brook.....	2	53	23	76		1,156	1,653	2,811	64,850 00			430	680	
	2 Hazelwood.....	2	68	28	96										
	1 Red Iron Village.....	2	20	9	29										
Yanktonia.....	1 Yellow Medicine.....	3	7	5	12				3,630	36,150 00	150,050 00				
WINDHARBOUR AGENCY.		4					1,000	1,401	2,401	70,000 00	\$50,000 00	70		675	

WINDHARBOUR AGENCY.
OF THE SIOUX TRIBES.

Gros Ventres	900	1,200	2,100	9,530 00 in horses.	.....	.....	.....	.....
Piegans	1,700	2,000	3,700	3,980 00 in horses.	.....	.....	.....	.....
Bloods	1,050	1,350	2,400	2,400 00 in horses.	.....	.....	.....	.....
Blackfeet	530	670	1,900	1,340 00 in horses.	.....	35,000 00	.....	.....
UPPER MISSOURI AGENCY.								
Yanconals	1,536	9,304	3,840					
Umpapas	1,073	1,608	2,680					
Minneconoux	513	1,768	1,980					
Blackfeet Sioux	416	833	1,948					
Bulls	448	673	1,130					
Sans Art	640	960	1,130					
Two Kutes	384	576	960					
Arikaras	393	588	960					
Gros Ventres	320	480	800					
Mandans	48	72	130					
Assinaboines	1,153	1,728	2,880					
Crows	1,560	2,340	3,900					
YANCTON SIOUX AGENCY.								
Sioux	969	1,064	2,053	107,000 00	6	464	236	.....
UPPER PLATTE AGENCY.								
Sioux	2,150	2,350	4,500	112,500 00 in horses.	.....	.....	1 Lutheran	.....
Arapahoes	300	350	650					.....
Cheyennes	950	300	550		19,497 49			.....
UPPER ARKANSAS AGENCY.								
Arapahoes, Cheyennes, Kiowas, Comanches, and Apaches.	.....	.....	.....		25,000 00			.....
PAWNEE AGENCY, (SPECIAL.)								
Pawnees (in 4 bands,) viz: Gardis or Chowees, Tappes, or Tashkewatis, Republicans, or Katabaw- lees.	.....	.....	903					.....
Loups, or Skedeers.	.....	.....	561	67,500 00 in horses.	.....	40,000 00	170	.....

* \$4,333 33 applied under treaty stipulations annually for their schools.
† \$3,300 annually contributed by society: \$4,694 12 annually applied under treaty stipulations.
‡ The treaty of September 24, 1857, pledges two or more schools, but none are established, though a manual labor school is contemplated.

§ \$5,356 90 applied under treaty stipulations annually for their schools.
¶ \$2,800 annually applied for schools, under treaty stipulations.

No. 88.—Statement indicating the schools, population, and wealth of the different Indian tribes, &c.—Continued.

Tribe.	Designation and locality of schools.	Number of teachers.	Scholars.			Under what charge.	Population.			Wealth in individual property.	Annual appropriations, as annuity and other benefits stipulations.	Number of farms.	Acres cultivated.		Number of missionaries, and of what denomination.
			Males.	Females.	Total.		Males.	Females.	Total.				By Indians.	By government.	
OMAHA AGENCY.															
Omahas*	Omaha Mission School at Black-bird Hills.	3	24	16	40	Presbyterian B. F. Missions.	450	500	950	\$40,000 00	\$33,940 00	12	1,677	.....	1 Presbyterian ...
OTTOWA AND MISSOURI AGENCY.															
Ottos and Missourias .....	.....	.....	.....	.....	.....	.....	303	405	708	10,000 00	16,940 00	.....	.....	.....	.....
PONCA AGENCY,(SPECIAL.)															
Poncas† .....	.....	.....	.....	.....	.....	.....	428	545	973	10,000 00	94,500 00	1	.....	300	.....
GREAT NEBAMA AGENCY.															
Sac and Fox, of Missouri;	1 Manual Labor School of Presbyterian B. F. Missions.	.....	3	.....	3	Presbyterian B. F. Mission.	83	94	177	6,910 00	7,870 00	9	70	55	.....
Ioways	1 Doniphan Co. K. T.	.....	5	.....	5	do	189	932	431	16,090 00	11,615 00	91	985	.....	.....
Iowas and Sac and Foxes. {	Iowa Reservation.	1	33	10	43	.....	.....	.....	70	1,545 00	.....	.....	.....	.....	.....
KICKAPOO AGENCY.															
Kickapoos*	1 on Kickapoo Reserve.	1	94	9	93	Presbyterian B. F. Missions.	170	168	338	30,000 00	14,000 00	.....	.....	.....	.....
Potawatamie	1 Kickapoo Mission.	.....	.....	.....	.....	.....	30	30	60	3,000 00	.....	.....	.....	.....	.....
DELAWARE AGENCY.															
Delawares	1 Reservation at the ...	5	202	40	242	United Methodists.	474	680	1,054	76,000 00	58,977 38	.....	.....	.....	5 Baptist, 9 Methodist.

SHAWNEE AND WYANDOTT AGENCY.									
Wyandotts.....	9	17	14	31	Meth. E. Church South.	379	431	810	1,050,000 00
Shawnees.....	1	22	24	46	Soc. of Friends.	.....	.....	.....	1,500,000 00
Friends Shawnee Labor School.	.....	.....	.....	.....	.....	.....	.....	.....	.....
POTTAWATOMIS AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pottawatomie**	7	82	67	149	.....	1,058	1,064	2,143	30,000 00
1 Catholic St. Mary's.	.....	.....	.....	.....	.....	.....	.....	.....	75,496 96
.....									
KANSAS AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kansas.....	.....	.....	.....	.....	.....	424	379	803	14,000 00
Kansas half-breeds.....	.....	.....	.....	.....	.....	36	27	63	4,300 00
Kaws.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
SAC AND FOX AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sacs and Foxes.....	.....	.....	.....	.....	.....	601	679	1,280	70,628 00
Ottawa.....	.....	.....	.....	.....	.....	95	112	207	16,050 00
Mundees and Chippewas.	.....	.....	.....	.....	.....	39	46	85	19,800 00
OSAGE RIVER AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Western Miamiest†.	.....	.....	.....	.....	.....	70	97	167	3,440 00
Kaskaskias, Pottas, Wenas, and Piankoshaws.	.....	.....	.....	.....	.....	112	105	217	33,071 00
.....	.....	.....	.....	.....	.....	.....	.....	.....	11,540 00
.....	.....	.....	.....	.....	.....	.....	.....	.....	19,360 00
CHEROKEE AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cherokees††	21	.....	.....	1,500	.....	.....	.....	22,000	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	43,562 91
CREEK AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Creeks.....	13	.....	.....	119	Pres. B. F. Mission.	.....	.....	13,350	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	60,834 54
SEMINOLE AGENCY.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seminoles.....	4	13	9	22	P. F. F. Mission..	1,947	1,090	2,267	100,000 00
1 Oak Ridge Mission, or manual labor school.	.....	.....	.....	.....	.....	.....	.....	.....	32,900 00
1 Seminole settlement, Creek nation.	.....	.....	.....	.....	.....	.....	.....	.....	.....

* \$2,532, annually contributed by the society for schools, and \$2,750 by treaty stipulations.

† \$5,550, annually applied under treaty stipulations for both tribes.

†† \$1,000, applied annually by society.

††† \$5,500 annually applied under treaty for schools.

§ Owing to the disturbances in the southern superintendency, there has been no report of the Cherokee, Creek, Seminole, and Choctaw, and Chickasaw agencies since that of 1860, which is here given again.

† \$5,000 annually applied under treaty stipulations for schools.

†† \$5,000 annually contributed by society for schools.

††† \$2,500 annually applied under treaty stipulations.

§ Owing to the disturbances in the southern superintendency, there has been no report of the Cherokee, Creek, Seminole, and Choctaw, and Chickasaw agencies since that of 1860, which is here given again.

No. 88.—Statement indicating the schools, population, and wealth of the different Indian tribes, &c.—Continued.

[illegible]

No. 88.—Statement indicating the schools, population, and wealth of the different Indian tribes, &c.—Continued.

[illegible]

[illegible]

• Sheep and horses in large herds.

No. 88.—Statement indicating the schools, population, and wealth of the different Indian tribes, &c.—Continued.

Tribe.	Designation and locality of schools.	Number of teachers.	Scholars.			Under what charge.	Population.			Wealth in individual property.	Annual appropriations, as official stipulations.	Number of farmers.	Acres cultivated.		Number of missionaries, and of what denomination.
			Males.	Females.	Total.		Males.	Females.	Total.				By Indians.	By Government.	
UMPUQUA (SUN) AGENCY.															
Umpqua Indians.....							35	64	99	.....	\$550 00	.....	.....	.....	.....
Coose Taylors.....							72	108	180	.....	.....	.....	.....	.....	.....
Seinlaw Enes.....							43	61	104	.....	.....	.....	.....	.....	.....
Alcea Albert.....							43	34	77	.....	.....	.....	.....	.....	.....
EASTERN OREGON, (DALLES) AGENCY.															
Dog River.....							55	75	130	\$3,000 00	.....	.....	.....	.....	1 Roman Catholic, (at Dalles.)
Wasco.....									475	14,000 00	.....	.....	.....	.....	.....
Ilich.....									450	11,000 00	.....	.....	.....	.....	.....
Deschute.....									350	7,000 00	.....	.....	.....	.....	.....
John Day.....									120	3,000 00	17,600 00	.....	.....	.....	.....
Uilla.....									250	6,000 00	.....	.....	.....	.....	.....
Cayuse.....									500	16,000 00	.....	.....	.....	.....	.....
Walla-Walla.....									300	6,000 00	46,800 00	.....	.....	.....	.....
Mountain Lake.....									800	.....	.....	.....	.....	.....	.....
Bonnacks.....									700	.....	.....	.....	.....	.....	.....
Diggers.....									600	.....	.....	.....	.....	.....	.....
Scattering.....									600	.....	.....	.....	.....	.....	.....
Nes Perce.....									500	.....	.....	.....	.....	.....	.....
NEE PERCE AGENCY.															
Nes Perce.....							1,600	2,100	3,700	100,000 00	26,600 00	.....	.....	.....	.....
Spokane.....									600	6,000 00	.....	.....	.....	.....	.....
PLATHEAD AGENCY.															
.....															2 Roman Catholic.

[illegible]

REPORT

OF

THE COMMISSIONER OF PENSIONS.

PENSION OFFICE, *November 9, 1861.*

SIR: I have the honor to submit the following report of the transactions of this bureau for the last year:

ARMY PENSIONERS.

The total number of army pensioners on the roll at the close of the last fiscal year, June 30, 1861, is 9,752, requiring for their payment the annual sum of \$820,167 23. The entire amount paid to army pensioners during the year is \$922,292 99.

At the close of the previous fiscal year, June 30, 1860, the whole number of army pensioners was 10,345, and the yearly amount payable to them was, in the aggregate, \$866,065 20. Consequently there has been a diminution of 59 in the number of army pensioners, and of \$45,897 97 in the amount of army pensions yearly payable.

INVALIDS.

The whole number of original applications for army invalid pensions admitted during the last fiscal year is 175. The whole number of claims for an increase of pensions of the same class, granted during this period, is 54. There was on the army invalid pension roll, at the close of the year, 4,723, requiring an aggregate annual payment of \$425,256 02. The amount actually paid to pensioners of this class during the year is \$413,382 90.

As compared with the previous year, ending June 30, 1860, there is a diminution of 15 in the number of original applications admitted, and of 9 in the number of those whose pensions have been increased. The whole number of army invalids on the roll is diminished 129, and the aggregate yearly amount of pensions to this class is decreased \$12,800 59.

This statement, of course, does not extend to so late a period as to embrace any of the applications of disabled soldiers of the present war, which have been recently begun to be admitted.

REVOLUTIONARY SOLDIERS.

Of the now small band of surviving revolutionary patriots, whose names are on the pension roll, twenty-eight died during the last fiscal year. The whole number remaining enrolled on the 30th of June, 1861, was but 63, which has been still further diminished. There is not a single remaining representative of these veterans in the States of Rhode Island, New Jersey, Iowa, Louisiana, Alabama, Florida, Mississippi, California, Oregon, or South Carolina. The only survivor in New Hampshire, at the date in question, has lately died, having nearly completed his 101st year. Of the sixty-two others, Massachusetts has 1; Maine, 9; Vermont, 3; Connecticut, 2; New York, 13; Pennsylvania, 1; Texas, 1; Michigan, 3; Illinois, 1; Indiana, 2; Wisconsin, 1; Kentucky, 1; Ten-

sec. 6; North Carolina, 2; Georgia, 5; Missouri, 1; Virginia, 3; District of Columbia, 1; Arkansas, 1.

On the 30th of June, 1859, there were 165 revolutionary soldiers on the pension rolls, 102 of whom, or about 62 per cent., died during the two next years.

The aggregate annual payment of the sixty-three revolutionary soldiers on the roll, June 30, 1861, was \$3,690 85, and the total payment during the year, \$27,691 87.

WIDOWS OF REVOLUTIONARY SOLDIERS.

There were admitted during the year 42 original applications for pensions in behalf of widows of revolutionary soldiers. The claims for increase of pension allowed to the same class were 15. The total number of these pensioners now on the roll is 2,728, with an aggregate amount of yearly payments of \$212,548 36. The whole amount paid to this class during the year was \$230,657 32.

As compared with the previous year this shows a decrease of 476 in the number on the rolls; of 24 in the number of original applications admitted; and of \$36,288 72 in the amount yearly payable.

WIDOWS AND ORPHANS' HALF PAY.

During the last year there were admitted, under the several acts granting half-pay and renewal of pensions to widows and orphans of deceased officers and soldiers, 464 original applications, and 434 claims for increase of pension. The whole number of these pensioners on the roll on the 30th of June last was 2,236, requiring an aggregate annual payment of \$178,672. The whole amount paid to this class during the year was \$261,160 90.

Compared with the previous year these statements show an increase of 38 in the number of pensioners, and of \$4,668.80 in the annual sum required for their payment. The number of original applications admitted, however, is less by 285 than during the previous year.

NAVY PENSIONS.

The whole number of navy pensioners on the roll, June 30, 1861, was 957, requiring, in the aggregate, an annual payment of \$137,604 85. This shows an increase from the previous year of 15 in number of pensions, and of \$2,651 10 in the total annual payment.

During the last year there were 35 original applications of invalids of the navy and marine corps admitted, and 35 half-pay claims of widows and orphans for the same service. There were also eight cases of increase of pension in each class. Compared with the business of the previous year in this branch of the office, there is an increase of 13 in the number of original applications, and a net increase of 20 in the whole number on the roll.

GRAND TOTAL.

The entire number of pensioners, of all classes, on the rolls, June 30, 1861, was 10,709, with an annual rate in the aggregate of \$957,772 08.

As compared with the previous year this shows a decrease of 575 in the whole number of pensioners of \$43,246 87 in the yearly amount of pensions payable, and of \$31,100 48 in the sum actually paid out.

The whole amount of the pensions paid by the United States since the formation of the government is \$89,886,359 65.

PENSION AGENCIES.

The aggregate amount of pensions paid at the several agencies during the last fiscal year was \$1,072,461 55. The amount of funds remaining in the hands of the various agents, June 30, 1861, was \$143,356 78. This exceeds the amount thus deposited at the close of the previous year by \$18,181 93. It is to be observed, however, that the foregoing statement includes the following balances in the hands of agents in the insurrectionary States, which sums barely sufficed, in most cases, to meet the March semi-annual payments, and which, though not regularly accounted for, are believed to have been very generally used for that purpose:

Lloyd Bowers, Mobile, Ala.....	\$2,179 81
W. H. Moore, Huntsville, Ala.....	3,532 72
Monroe Donahoe, Tuscaloosa, Ala.....	835 05
Thomas Lanagan, Fort Gibson, Ark.....	1,078 81
P. T. Crutchfield, (dec'd.) Little Rock, Ark.....	2,696 17
F. H. Flagg, Tallahassee, Fla.....	1,284 95
Arthur M. Reed, Jacksonville, Fla.....	236 86
John O. Terrill, Savannah, Ga.....	616 48
Samuel H. Dalton, New Orleans, La.....	6,776 21
David N. Barrows, Jackson, Miss.....	19 47
R. C. Pearson, Morgantown, N. C.....	1,103 05
W. G. Broadfoot, Fayetteville, N. C.....	1,406 54
Benj. G. Herriott, Charleston, S. C.....	2,599 84
Isaac Lewis, Knoxville, Tenn.....	4,111 51
W. H. Blair, Jonesboro', Tenn.....	11,367 94
Joel M. Smith, Nashville, Tenn.....	2,958 65
Jos. B. Freeman, Jackson, Tenn.....	498 17
Morris L. Newman, Richmond, Va.....	2,940 11
	46,243 65

TABULAR STATEMENTS.

Herewith are transmitted tabular statements, severally marked A, B, C, D, E, and F, to which reference is made for more minute details of the affairs of this office, under the foregoing heads. Table A shows the number of army pension applications originally admitted, and of claims for increase allowed, in the several States and Territories during the year. The statement marked B gives the amount of arrears payable at the date of issuing the certificates embraced in the last named table. In table C are given the respective amounts paid to army pensioners for the year ending on the 30th of June last at the several agencies in the several States, respectively. Statement D shows the balance in the hands of the several agents for paying army pensions at the close of the fiscal year. E contains a statement of the whole number of army pensioners on the rolls in the several States and Territories, and of the amount to which, in the aggregate, these pensioners are yearly entitled. Exhibits, in four separate tables, give full details in regard to navy pensions, including the number and yearly amount of original applications and claims for increase admitted during the year; the amounts paid to navy pensioners in the several States and Territories, for the same period; the number of this class of pensioners now on the rolls, and the amount of their yearly payments; and the balance of funds at the close of the year, in the hands of the agents for paying navy pensions.

BOUNTY LAND.

The following statement shows the number of bounty land warrants issued under the various acts for the year ending September 30, 1861:

Under the Mexican war act of February 11, 1847.

62 warrants for 160 acres each, making	9,920 acres.
5 warrants for 40 acres each, making	200 acres.

Under the act of September 28, 1850.

10 warrants for 160 acres each, making.....	1,600 acres.
3 warrants for 80 acres each, making.....	240 acres.
8 warrants for 40 acres each, making.....	320 acres.

Under the act of March 22, 1852.

1 warrant for 40 acres.....	40 acres.
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Under the act of March 3, 1855, and amendatory act.

4,932 warrants for 160 acres each, making.....	789,120 acres.
195 warrants for 120 acres each, making.....	23,400 acres.
122 warrants for 80 acres each, making.....	9,760 acres.
3 warrants for 40 acres each, making.....	120 acres.
5,341 warrants in all, for the aggregate quantity of.....	834,720 acres.

As compared with the previous year there has been a diminution of 668 in the number of warrants issued, and of 104,340 acres in the amount of public land thus granted.

The whole number of acres of land granted for military services since the formation of our government is 65,544,002. Estimated at the price of \$1 25 an acre, the total value of this bounty is \$81,930,002 50; a sum which wants but \$7,956,357 15 of equaling the whole amount of money paid in direct pensions from the commencement of the revolution until now.

THE INSURRECTIONARY STATES.

It is evident that the slight decrease of the business of this office is mainly attributable to the entire suspension of official intercourse, during the last two months of the fiscal year, with the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and during part of the same period with the disloyal portions of Tennessee and Virginia. The last requisitions in favor of the agents for paying pensions in these States were drawn in February last, to meet the semi-annual payments then speedily becoming due. As already intimated, I have good reason to believe that but a small proportion, probably not exceeding \$10,000 in all, of the amount still apparently unaccounted for has failed to reach the pensioners to whom it was due.

Many cases of hardship to pensioners and claimants have resulted from the predominance of treason in these States. Beyond doubt, there are hundreds of loyal citizens, still true at heart to the flag and the government, in whose service they have been disabled, who must suffer from this necessary suspension of official intercourse. A partial remedy has, in some cases, been afforded to those

pensioners who have removed from the disloyal districts, by the transfer of their names to the roll of another agency, at which they can be paid. Whatever relief it has been in my power rightfully to afford, in this or any other manner, to persons of trusted and unquestionable loyalty has been readily granted.

OATH OF ALLEGIANCE.

Before the last semi-annual payment of army pensions became due, (on the 4th of September,) an order was issued requiring the oath of allegiance to be taken by pensioners before receiving their stipends. This test of loyalty is applied in accordance with the principle previously acted on, and so obviously just and essential, that persons in rebellion against the government, or unwilling to declare their continued fealty, no matter where they may reside, should be deprived of any share in the government bounties.

SUSPENDED PENSIONS.

It has also been the practice of this office, in the same spirit, to suspend the payment of pensions to disaffected persons whose names are on the roll of any agency in the loyal States, on credible and responsible information going to prove their active participation or avowed sympathy with the southern insurrection. Whether some more specific action of Congress, in regard to cases of this character, may not be expedient and requisite to give full effect to such action is respectfully submitted for consideration.

ADDITIONAL CLERKS.

In anticipation of increased business, Congress was asked, at its late session, to continue the usual number of clerks in this office, a reduction of which has been contemplated in the appropriations made at the previous session, to take effect on the 1st of July last. This request was granted. Full employment is furnished for the clerical force now authorized by law, and with the large additional labor further anticipated, in the adjustment of claims for pensions based upon service in suppressing the rebellion, I would respectfully suggest that, in case no bounty land act is passed at the next session of Congress, the temporary employment of ten additional clerks in this office should be provided for, as the service, by gradual increase, may demand. Should a bounty land act be passed at the approaching session, at least forty more additional clerks, (fifty temporary clerks in all,) will be needed.

PENSIONS FOR SERVICE IN THE PRESENT WAR.

Applications of soldiers disabled in the present war, and on behalf of widows or minor children of those who have died in this service, are rapidly coming in for adjudication. Existing acts are deemed to warrant the allowance of such claims, and a large number of them have already been admitted. As there is some uncertainty in regard to the rates of pension legally allowable to officers above the rank of lieutenant, and as there are other apparent discrepancies in the laws under which this office is now acting, it is hoped that further and more explicit legislation on this subject will speedily be had by Congress.

In my report of estimates, previously transmitted, the whole number of probable invalid pensioners, by reason of the present war, to be enrolled during the current year, is computed at 1,500, and that of widows and orphans pensioned by reason of like service at 1,000. The number of deaths occurring in one year, under ordinary circumstances, among 500,000 able-bodied men, of ages proportioned as is usual with those composing a large army, as proved by statistics, is a small fraction over one per cent. In a protracted war, the average yearly increase

mortality is not usually very much increased. A larger proportion of deaths and disabilities are dated from the hospital than from the battle field. For any short period, in the midst of active hostilities, or during the prevalence of an epidemic, a reliable calculation, as the basis of pension estimates, cannot be made. The number of deceased soldiers who leave widows or minor children in any war may be reckoned at from one-half to two-thirds the number of invalids entitled to pensions. Making allowance for the usual delays in asserting claims for pensions, I see no reason materially to vary the estimate for another year from what has before been reported. Under possible contingencies, the numbers computed may be greatly exceeded. In no event, I am confident, can they prove to have been too large.

I remain, very respectfully, your obedient servant,

JOS. H. BARRETT, *Commissioner.*

Hon. CALEB B. SMITH,
Secretary of the Interior.

A.

Statement of the number and yearly amount of original applications, and for increase of army pensions, admitted in each State and Territory during the fiscal year ending June 30, 1861.

[illegible]

[illegible]

A--Continued.

[illegible]

[illegible]

June 30, 1861.

STATES.	INVALID.	REVOLUTIONARY SOLDIERS.	WIDOWS OF REVOLUTIONARY SOLDIERS.	WIDOWS AND ORPHANS OF HALF PAY.		TOTAL.
				First section July 4, 1836; July 31, 1846; 1st section Feb. 3, 1853.	June 3, 1858.	
Arkansas.....	\$1,369 53	\$40 70	.....	.....	\$665 43	\$2,076 06
Alabama.....	1,006 00	83 29	.....	.....	1,369 34	4,339 14
Connecticut.....	2,141 31	690 55	.....	.....	2,092 66	26,009 84
California.....	5,073 26	457 63	.....	.....	5,563 86	3,563 86
District of Columbia.....	12,315 45	708 93	.....	.....	7,609 74	31,757 08
Florida.....	4,527 67	170 44	.....	.....	2,343 03	8,333 13
Georgia.....	17,493 32	710 96	.....	.....	2,737 90	13,000 96
Indiana.....	29,432 31	1,138 64	.....	.....	2,444 39	31,415 31
Illinois.....	4,536 49	161 94	.....	.....	16,713 08	60,772 13
Iowa.....	18,792 79	995 27	.....	.....	1,199 46	6,871 51
Kentucky.....	12,606 14	131 57	.....	.....	2,094 67	42,449 05
Louisiana.....	12,321 61	1,348 63	.....	.....	2,309 53	41,392 33
Maine.....	5,958 49	405 41	.....	.....	7,844 98	44,115 08
Massachusetts.....	16,467 03	53 53	.....	.....	5,306 46	19,940 78
Maryland.....	10,699 55	678 29	.....	.....	345 61	2,320 38
Mississippi.....	2,427 14	959 72	.....	.....	7,119 42	29,901 53
Michigan.....	2,166 60	949 30	.....	.....	2,085 56	25,748 63
New Hampshire.....	2,427 14	959 72	.....	.....	17,631 50	157,874 45
New Jersey.....	2,427 14	959 72	.....	.....	1,773 46	16,636 53
North Carolina.....	2,427 14	959 72	.....	.....	2,469 99	13,845 18
Ohio.....	2,427 14	959 72	.....	.....	8,150 34	62,924 71
Oregon.....	2,427 14	959 72	.....	.....	.....	569 02
Pennsylvania.....	2,427 14	959 72	.....	.....	16,320 53	78,417 05
Rhode Island.....	2,427 14	959 72	.....	.....	.....	6,308 86
South Carolina.....	2,427 14	959 72	.....	.....	2,327 78	13,163 49
Tennessee.....	2,427 14	959 72	.....	.....	10,870 36	69,737 69
Vermont.....	2,427 14	959 72	.....	.....	1,369 18	37,430 94
Virginia.....	2,427 14	959 72	.....	.....	2,991 63	31,418 98
Wisconsin.....	2,427 14	959 72	.....	.....	6,35 16	10,668 84
	413,368 90	97,691 87	320,657 33	90,319 60	151,841 30	922,922 90

D.

Statement of the amount of funds in the hands of each agent for paying pensions on the 30th day of June, 1861.

State.	Town.	Name of agent	Amount.	Remarks.
Arkansas.....	Little Rock....	Peter T. Crutchfield... (died Jan'y, 1861.)	\$2,696 92	No return of 4th quarter 1860.
Alabama	Fort Gibson ...	Thomas Lanigan	1,054 33	No return of 1st & 2d qrs. 1861.
	Huntsville....	William H. Moore.....	3,021 48	Do. do.
	Tuscaloosa....	Monroe Donoho	790 51	No return of 2d quarter 1861.
Connecticut	Mobile	Lloyd Bowers	2,191 81	Do. do.
	Hartford	Guy R. Phelps	205 06	
California	San Francisco.	Paschal Bequette	296 50	
District of Columbia.	Washington ..	George W. Riggs	1,839 59	
Florida.....	Jacksonville..	Arthur M. Reed	175 06	No return of 1st & 2d qrs. 1861.
	Tallahassee ..	Francis H. Flagg	890 80	No return of 2d quarter 1861.
Georgia	Savannah	John O. Ferrill, (resigned March, 1861.)	16 99	Do. do.
Indiana	Indianapolis..	Jas. L. Thompson, (died in Sept., 1861.)	755 64	
	Madison.....	Mark Tilton	932 78	
Illinois	New Albany ..	Bela C. Kent	1,904 45	
	Springfield ..	John W. Bunn	5,212 95	
Iowa.....	Ottumwa	Alexander H. Hamilton.	1,000 00	
Kentucky	Louisville	Edward F. Gallagher.	2,337 47	
Louisiana	New Orleans ..	S. W. Dalton, (resigned March, 1861.)	6,124 13	No return of 1st quarter 1861.
Maine	Augusta.....	Charles F. Potter	1,147 18	
Massachusetts	Boston	Isaac O. Barnes	431 78	
	Baltimore	John S. Gluings	806 48	
Maryland	Jackson.....	David N. Barrow, (resigned March, 1861.)	19 57	
Mississippi	St. Louis.....	Thomas H. Clark	1,960 64	
Missouri.....	Detroit.....	Alexander G. Noyes ..	969 05	
Michigan.....	Concord.....	Augustin C. Pierce	1,232 53	
	Portsmouth....	Albert H. Hoyt	937 11	
New Hampshire	Albany.....	Deodatus Wright	3,060 56	
	New York.....	Van Brugh Livingston..	7 59	
New Jersey	Trenton.....	Philemon Dickinson..	6 41	
New York.....	Fayetteville..	William G. Broadfoot ..	1,347 67	No return of 2d quarter 1861.
	Morgantown....	R. C. Pierson	961 03	Do. do.
North Carolina	Cincinnati....	Henry C. Borden	4,639 53	
	Cleveland.....	August Thieme	837 63	
Oregon.....	Oregon City ..	A. Lawrence Lovejoy..	1,403 55	
Pennsylvania.....	Philadelphia..	Erastus Poulson	54 05	
	Pittsburg.....	Lafayette Markle	291 47	
Rhode Island	Providence....	Amos M. Warner	869 37	
South Carolina	Charleston....	Benjamin G. Heriot....	2,599 80	No return of 2d quarter 1861.
	Nashville.....	Joel M. Smith	2,949 41	Do. do.
Tennessee	Knoxville.....	Isaac Lewis	1,756 49	Do. do.
	Jonesboro'....	William K. Blair, (resigned April, 1861.)	1,514 95	Do. do.
Vermont	Jackson.....	Jos. B. Freeman, (resigned March, 1861.)	377 46	No return of 1st quarter 1861.
	Rutland.....	John B. Reynolds	1,059 10	
Virginia	St. Johnsbury.	Edward C. Reddington.	453 40	
	Richmond.....	Morris D. Newman	2,782 34	No return of 2d quarter 1861.
Wisconsin.....	Wheeling.....	Sobieski Brady	624 26	
	Milwaukee....	Jeremiah B. Selby, jr..	940 32	
Washington Territory	Vancouver....	John D. Bliss	500 00	
Deduct amount due agents			67,987 16	
Net amount due United States			492 24	
			66,794 92	

E.—*Swarmen of the number of pensioners on the rolls of, and annual amount payable in, the States and Territories on June 30, 1881.*

STATES.	INVALID.		REVOLUTIONARY SOLDIERS.		WIDOWS OF REVOLUTIONARY SOLDIERS.		WIDOWS AND ORPHANS OF HALF PAY.		TOTAL.	
	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.
Arkansas.....	36	\$3,346 00	1	\$30 00	9	\$147 77	13	\$1,740 00	59	\$5,555 77
Alabama.....	27	2,966 00	.....	.....	10	706 76	13	870 00	50	3,845 76
Connecticut.....	48	4,900 00	2	60 00	158	19,659 64	39	9,676 00	940	94,398 64
California.....	63	5,099 00	.....	.....	.....	.....	9	96 00	64	5,195 00
District of Columbia.....	148	12,893 40	.....	.....	9	2,400 33	84	11,404 00	943	94,698 73
Florida.....	34	3,182 80	.....	.....	66	4,698 05	34	3,366 00	76	6,798 00
Georgia.....	103	9,182 80	.....	.....	60	4,594 30	65	4,650 00	939	18,455 98
Indiana.....	297	18,609 00	9	55 54	60	4,594 30	65	4,650 00	371	98,447 44
Illinois.....	329	29,677 00	1	80 00	59	4,445 91	143	12,174 00	517	46,376 91
Iowa.....	57	4,630 00	.....	.....	8	547 63	15	894 00	80	6,161 63
Kentucky.....	200	18,139 32	1	60 00	155	13,073 51	113	9,498 00	469	40,789 83
Louisiana.....	80	6,504 00	.....	.....	6	15,071 19	97	4,344 00	113	11,099 66
Maine.....	191	18,654 00	9	585 99	303	15,071 19	77	4,560 00	490	26,917 18
Massachusetts.....	136	13,928 00	3	156 67	205	13,739 43	111	8,496 00	457	35,814 10
Maryland.....	66	6,110 00	.....	.....	93	9,298 50	53	4,830 00	148	13,968 50
Mississippi.....	21	1,901 00	.....	.....	5	384 17	8	463 00	34	3,637 17
Missouri.....	226	17,692 00	1	53 33	19	1,500 77	64	7,326 00	310	26,541 10
Michigan.....	193	18,346 00	3	161 00	28	1,994 36	54	5,604 00	390	26,907 36
New Hampshire.....	86	9,829 00	1	96 00	146	9,711 44	49	3,060 00	394	29,696 44
New York.....	784	73,763 80	13	925 57	532	43,050 03	237	22,320 00	1,566	140,079 40
New Jersey.....	58	9,926 00	.....	.....	63	7,491 67	59	9,434 00	190	19,183 67
North Carolina.....	39	3,778 00	9	156 37	118	6,837 68	89	4,176 00	940	14,943 05
Ohio.....	407	38,191 00	4	294 21	149	10,926 36	165	12,972 00	795	61,345 59
Oregon.....	19	1,480 00	.....	.....	.....	.....	9	73 00	31	1,553 00
Pennsylvania.....	390	34,461 50	1	90 00	138	11,131 14	298	16,352 00	757	62,040 64
Rhode Island.....	11	1,032 00	.....	.....	44	3,974 92	17	4,430 00	72	5,528 92
South Carolina.....	48	4,780 00	.....	.....	56	4,917 60	47	3,180 00	151	12,177 60
Tennessee.....	438	37,842 00	6	183 55	134	8,917 29	209	12,618 00	787	59,000 84
Vermont.....	108	10,164 00	3	933 10	151	11,393 15	34	3,604 00	396	24,434 35
Virginia.....	91	7,063 00	3	146 99	174	15,963 05	159	8,413 00	987	30,885 04
Wisconsin.....	84	7,980 00	1	56 30	10	15,798 43	15	1,194 00	110	9,183 73
	4,795	435,956 08	63	3,690 85	3,798	212,546 36	2,936	178,678 00	19,762	830,167 83

F.

Statement of the number of original applications, and for increase of navy pensions, admitted during the year ending June 30, 1861, with the arrears due at the date of issuing the certificate.

States.	Invalid.				Arrears payable at date of issuing the pension certificate.	Widows and orphans, act August 11, 1848.				Arrears payable at date of issuing the pension certificate.
	Original.		Increase.			Original.		Increase.		
	No.	Yearly amount.	No.	Yearly amount.		No.	Yearly amount.	No.	Yearly amount.	
District of Columbia	3	\$210 00	1	\$48 00	\$307 60	7	\$1,488 00	1	\$60 00	\$2,151 20
Massachusetts	7	1,231 50	...	...	46 87	3	444 00	...	...	5,067 12
Maryland	4	138 00	...	...	...	1	300 00	...	...	66 20
Michigan	1	94 00	...	...	3 00	...	...	...	...	...
New Hampshire	...	...	...	...	...	1	42 00	...	...	48 47
New York	16	794 00	3	60 00	\$12 72	13	2,366 00	1	94 00	6,342 20
New Jersey	1	48 00	...	...	...	...	...	...	...	...
Pennsylvania	2	122 00	1	6 00	11 56	4	780 00	...	...	130 72
Virginia	...	...	...	...	...	6	1,948 00	...	...	1,567 40
Maine	...	...	1	28 50	...	...	...	...	...	...
Wisconsin	1	72 00	...	...	...	...	...	...	...	...
Increased cases....	35	2,709 50	6	142 50	...	35	6,668 00	2	84 00	...
	6	142 50	...	...	...	2	84 00	...	...	...
	41	2,852 00	...	...	461 75	37	6,752 00	...	...	15,957 12

F—Continued.

Statement of the amount paid for navy pensions in the several States and Territories during the year ending June 30, 1861.

States.	Invalid.	Navy pension fund.	Widows and orphans, act August 11, 1848.	Privateer, act April 5, 1856.	Total.
Connecticut	\$132 25	\$42 07	\$1,902 91	...	\$2,077 23
California	135 00	...	120 00	...	255 00
District of Columbia	2,949 25	512 51	20,824 33	\$90 00	24,376 09
Florida	...	2 50	1,031 33	...	1,033 83
Georgia	...	12 00	600 00	...	612 00
Kentucky	63 00	17 46	810 00	...	890 46
Louisiana	277 50	17 86	579 00	36 00	910 36
Maine	1,436 72	42 18	672 00	...	2,150 90
Massachusetts	3,309 91	544 25	16,989 14	313 60	21,156 90
Maryland	2,915 50	223 50	8,353 00	144 00	10,636 00
Missouri	210 00	28 90	1,300 00	...	1,538 90
Michigan	72 00	11 74	240 00	...	323 74
New Hampshire	1,219 50	78 15	1,488 19	...	2,785 84
New York	7,614 83	557 33	37,029 28	72 00	45,273 44
New Jersey	33 94	19 92	963 47	...	1,016 33
Ohio	364 50	20 49	680 00	...	1,064 99
Pennsylvania	3,399 94	624 22	12,849 56	114 00	17,093 72
Rhode Island	389 44	69 33	3,078 00	...	3,536 77
South Carolina	72 00	41 78	1,680 00	...	1,793 78
Virginia	288 00	218 25	10,624 73	...	11,130 98
Navy Asylum	368 00	...	...	...	368 00
	24,551 28	2,153 74	121,693 94	769 60	128,168 56

F—Continued.

Statement of the number of navy pensioners on the rolls of, and annual amount of pensions in, each State and Territory on the 30th day of June, 1861.

States.	Invalid.		Navy pension fund.		Widows and orphans, act August 11, 1848.		Privateers, act April 5, 1856.		Total.	
	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.
Connecticut	2	\$138 00	.....	.....	6	\$1,990 00	.....	.....	8	\$2,052 00
California	1	90 00	.....	.....	1	240 00	.....	.....	2	330 00
District of Columbia	34	2,550 00	.....	.....	83	19,330 00	2	\$126 00	119	21,996 00
Florida	1	42 00	.....	.....	9	1,974 00	.....	.....	10	2,016 00
Georgia .....	.....	.....	.....	.....	1	600 00	.....	.....	1	600 00
Kentucky	2	84 00	.....	.....	3	210 00	.....	.....	5	894 00
Louisiana	5	534 00	.....	.....	6	1,458 00	1	72 00	12	2,064 00
Maine	18	1,379 50	.....	.....	3	672 00	.....	.....	19	1,951 50
Massachusetts	66	4,788 75	.....	.....	70	12,054 00	5	256 00	141	17,098 75
Maryland	33	2,256 00	.....	.....	30	7,666 00	1	144 00	64	10,266 00
Missouri	5	300 00	.....	.....	4	1,300 00	.....	.....	9	1,500 00
Michigan	2	96 00	.....	.....	1	240 00	.....	.....	3	336 00
New Hampshire	19	1,315 50	.....	.....	10	1,362 00	.....	.....	29	2,677 50
New York	142	8,479 60	.....	.....	164	30,438 00	1	72 00	307	38,989 60
New Jersey	2	72 00	.....	.....	8	1,062 00	.....	.....	10	1,134 00
Ohio	6	342 00	.....	.....	2	660 00	.....	.....	8	1,002 00
Pennsylvania	44	2,380 00	1	\$360 00	67	13,374 00	3	122 00	115	16,246 00
Rhode Island	4	307 50	.....	.....	12	3,198 00	.....	.....	16	3,505 50
South Carolina	1	72 00	.....	.....	4	1,380 00	.....	.....	5	1,452 00
Virginia	10	612 00	.....	.....	46	9,732 00	.....	.....	56	10,344 00
Wisconsin	1	72 00	.....	.....	.....	.....	.....	.....	1	72 00
Navy Asylum	17	1,078 00	.....	.....	.....	.....	.....	.....	17	1,078 00
	413	26,882 85	1	360 00	530	109,560 00	13	802 00	957	137,604 85

F—Continued.

Statement of the amount of funds in the hands of the several agents for paying navy pensions on the 30th day of June, 1861.

State.	Town.	Name of agent.	Amount.
Connecticut	Hartford	Guy R. Phelps	\$1,046 79
California	San Francisco	Paschal Bequette	35 00
District of Columbia	Washington	George W. Riggs	12,239 00
Florida	Pensacola	A. E. Maxwell*	1,227 52
Georgia	Savannah	John O. Ferrill† .....	.....
Kentucky	Louisville	Edward F. Gallagher	477 76
Louisiana	New Orleans	S. W. Dalton	1,218 71
Maine	Augusta	Charles F. Potter	1,063 09
Massachusetts	Boston	Isaac O. Barnes	9,333 39
Maryland	Baltimore	John S. Gittings	5,985 91
Missouri	St. Louis	Thomas H. Clarke	730 60
Michigan	Detroit	Alexander G. Noyes	265 02
New Hampshire	Portsmouth	Albert H. Hoyt	1,459 13
New York	New York	Van Brugh Livingston	22,229 73
New Jersey	Trenton	Philemon Dickinson	629 76
Ohio	Cincinnati	Henry C. Borden	513 00
Pennsylvania	Philadelphia	Erastus Poulson	2,728 83
	Pittsburg	Lafayette Markle	34 40
Rhode Island	Providence	Amos M. Warner	2,057 82
South Carolina	Charleston	Benjamin G. Heriot†	14 39
Virginia	Norfolk	Elisha Pendleton*	6,154 74
Wisconsin	Milwaukee	Jeremiah B. Selby, Jr.	65 00
		Deduct due agent	76,566 25
			4 39
			76,561 86

* No return of first and second quarters 1861.

† No return of first quarter 1861; resigned March, 1861.

‡ Amount due agent.

† Resigned March, 1861.

‡ No return second quarter 1861.

REPORT

OF THE

COMMISSIONER OF PUBLIC BUILDINGS.

OFFICE OF THE COMMISSIONER OF PUBLIC BUILDINGS,
Capitol of the United States, Washington, November 8, 1861.

SIR: In the discharge of the duty imposed upon me by the 15th section of the act of Congress of August 4, 1854, "making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1855, and for other purposes," I have the honor to submit the following report:

I entered upon the duties of Commissioner of Public Buildings on the 7th day of September last, and cannot be expected to report as to the operations of this office any further than to state what sums were expended by my predecessor, Wm. S. Wood, esq., from the commencement of the fiscal year (July 1, 1861) up to the time that I entered upon duty. That statement, in tabular form, is appended to this report.

Mr. Wood, having been in office only a few months, made no reports to you, and for the operations of this office for the past six years I can only refer to the very full and very able reports of John B. Blake, esq., the immediate predecessor of Mr. Wood, whose watchful care of the public interests is manifested in all the duties he performed which have fallen under my notice.

On entering upon my duties, my first care was to ascertain what were the balances remaining of the several appropriations usually disbursed through this office. These are shown in a tabular statement appended to this report, as also the several sums expended by me, and the purposes for which they were expended, up to the date of this report.

I have already submitted to you my regular estimates for appropriations necessary to carry on the operations of this office for the fiscal year ending June 30, 1853. I will now proceed to make such statements and suggestions in relation to the several matters and things under my charge and supervision as seem to be required.

THE CAPITOL.

This building is peculiarly under the charge of the Commissioner of Public Buildings; and the requirement of the act of Congress of May 2, 1828, "that the Commissioner shall take charge of and superintend the public buildings, and perform such other duties as may be required of him by law, *and that the said Commissioner be required to reside near the Capitol,*" is evidence that Congress intended that it should at all times be under his watchful supervision.

The old portion of this building is now very much in want of a thorough painting on the outside. It has not been painted for many years, and the severe contrast between the new marble wings and the variegated centre is anything but agreeable to an artistic eye. Besides, the porous and friable sandstone of which it is composed, unless it be kept constantly covered with paint, is operated upon by the changes in the weather, so much as to become shelly and easily disfigured. Several years ago it became necessary to have a considerable portion of the lower course of stone dressed over before it could be painted.

I most respectfully recommend that an appropriation of eight thousand dollars be made for painting the outside of the old portion of the Capitol. This sum is based on an estimate of a practical master painter, herewith submitted, marked A.

There is much more work needed in the way of casual repairs inside of the building than is usual, in consequence of its occupancy by troops. I have already asked, in my regular estimates, for an appropriation of \$3,500 to meet deficiencies already existing. Should this sum be appropriated, I have no doubt that the usual appropriation of \$6,000 will be sufficient to make all the casual repairs, &c., that may be necessary for the ensuing year.

I respectfully call the attention of Congress to the fact that the basement of the western portion of the old building is mostly used for an army bakery, and the crypt, under the rotundo, for a storeroom for flour. This occupancy and use necessarily involves a continual ingress and egress of army wagons to and from the grounds, across the walks and pavements, to their great injury, and much to the annoyance of persons doing business inside of the Capitol. The dense smoke from the chimneys erected just outside the terrace of the west front is driven into the building so as at times to make the rooms almost untenable, besides very much defacing the building. The use of the crypt for a storage room cuts off all direct communication between the two wings on that floor, and the effluvia that pervades the entire building, from the baking operations below, is not by any means pleasant.

The Capitol was at first used for the purpose indicated as a military necessity, and could not, just at that time, have been appropriated to a better purpose; but now, when everything relating to the war has become systematized, there seems to be no further necessity for such a use of the building erected for the accommodation of the legislative department of the government. Having, as a duty, called attention to this subject, I leave it for such action as may seem proper. If Congress should direct the removal of the bakeries to some other place, an appropriation of at least ten thousand dollars will be necessary to remove them and restore the rooms to their former condition.

THE PRESIDENT'S HOUSE.

In the civil appropriation act of March 2, 1861, the sum of six thousand dollars was appropriated "for annual repairs of the President's House and furniture, improvements of grounds, purchase of plants for garden, and contingent expenses incident thereto."

On entering upon the duties of Commissioner I found this appropriation entirely absorbed, and a considerable debt incurred on account of painting and papering the house. The entire bill for papering, and a large portion of the bill for painting, remain unpaid, and are estimated for as a deficiency.

Of the appropriation of four thousand four hundred and twenty dollars for introducing Potomac water into the President's House, so much has been expended as was necessary to do the work designed. At this time the bills of the contractor under my immediate predecessor have not been rendered, and I do not know how much of the appropriation has been consumed. The house is now in excellent order, and I know of no further necessary expenditures that are called for beyond the casual repairs incident to so large a building.

In consequence of the extension of the Treasury building, it will be necessary to change some of the walks and fences in the grounds directly south of the house, which will involve an expenditure of at least five thousand dollars; which sum I ask may be appropriated for that object.

THE POTOMAC AND EASTERN BRANCH BRIDGES AND ROADS APPURTENANT THERETO.

The Potomac or Long bridge being very much out of repair, and indispensable for war purposes, by an understanding between my predecessor, W. H.

Wood, esq., and the War Department, sanctioned by the Secretary of the Interior, it was taken in charge by Mr. Power, engineer of bridges under the War Department, and the money appropriated for the repair of that bridge has been expended under the direction and supervision of Mr. Power. I understand the entire sum of \$20,000 has been expended, although the bills have not yet been rendered to me. They will be soon, and the money drawn from the treasury and paid over to Mr. Power.

The Eastern Branch bridges have been thoroughly repaired in the same manner, and the sum of between six and seven thousand dollars paid over by me to Mr. Power, on bills rendered for the same.

The roads appurtenant to the Navy Yard bridge are now in progress of repair, and I am endeavoring to have the work thoroughly and faithfully done at as economical an expenditure as possible. When these roads are completed, they are to be kept up forever hereafter by the county of Washington, under a resolution of the levy court, and the United States is not again to be subjected to any expense upon them.

PENNSYLVANIA AVENUE.

It is well known to every one who has passed along Pennsylvania avenue between the Capitol and Georgetown, for the past two or three years, that it is in a very bad state of repair. The constant running of the omnibusses during that time, and recently of the army wagons, have so cut and worn the paved carriage-way that passing along it with a carriage is very much like riding over a road covered laterally with corrugated roofing iron. Among the first improvements I sought to make was an improvement in this avenue, by mending the worst broken places in the pavement. This work has been going steadily on for the past two months, and the avenue is now in as good order as it can be placed with the limited means at my command. A few years since a specimen of Belgian pavement was laid down at the intersection of Seventh street with the avenue, which has stood remarkably well; and there is no doubt that, were the entire road-way laid with that pavement, it would last for many years without needing any repair. The expense would be large at the beginning, but, in view of the permanence of the material, it would, in the end, be a matter of great economy; and if Congress do anything in the way of renewing the road, I would by all means advise the adoption of that kind of pavement.

The circle at the intersection of Pennsylvania avenue with New Hampshire avenue and K street has been enclosed with a firm and elegant iron fence within the past year, and there are now four triangular spaces along the avenue enclosed in the same manner. There are but three remaining open, and the enclosure of these spaces adds so much to the beauty, cleanliness, and health of the vicinity of their location, that it is to be hoped Congress will appropriate a sufficient sum to enclose one or more of them during the ensuing year. Each space can be handsomely enclosed for five thousand dollars.

Great efforts have been made for several years past to induce Congress to grant to private individuals or corporations the franchise of laying down a railroad track, and using the same for the transportation of passengers, along Pennsylvania avenue, from Georgetown to the Navy Yard. With, it is believed, a ready disposition to do this, Congress has been so beset by different interests that one has defeated the another, and the franchise has not been granted. In view of the establishment of such a road as one of the most desirable improvements that could be made within this District. It would be a vast accommodation to the public. It would take from the avenue the immense travel of omnibusses and save the road-way from being cut up and broken as it now is. It would confine the principal travel to a small portion of the road, and leave the rest open to ordinary travel; and every resident of any other city of any pretensions

who visits Washington, and has his attention called to the fact that we have no passenger railroad, exclaims that the metropolis of the Union is behind the age, and goes at once into a rhapsody in praise of passenger railroads! The eagerness with which the franchise is sought is sufficient evidence that those who seek it know that it will be a very profitable investment. I respectfully suggest whether it would not be advisable for the government to organize a passenger railroad, instead of granting the franchise to any one, and appropriate the profits, after the road is paid for, to keeping Pennsylvania avenue in complete order forever. It would then become, as it should be, one of the most magnificent thoroughfares in the world, without one dollar of expense to the United States or the city of Washington. This matter is certainly worthy of great consideration.

THE WASHINGTON INFIRMARY.

The sad calamity which befel the Infirmary building, in its almost total destruction by fire on the night of November 3, calls for some notice of it in this report.

The building was originally the jail of Washington county. After the erection of the present jail, an act of Congress was passed "to provide an insane hospital for the District of Columbia." The provisions of that act authorized the Commissioner of Public Buildings, under the direction of the President of the United States, to cause such alterations to be made in the old jail as would adapt it to the reception and accommodation of the insane, &c. This act was approved August 29, 1842.—(Laws, vol. 5, p. 537.) In accordance with its provisions the building was altered and used for a time under the direct care and supervision of the government.

On the 15th of June, 1844, Congress passed an act "making appropriation for the support of insane persons in the District of Columbia, and for other purposes."—(Laws, vol. 5, page 672.) The second section of that act authorized the Commissioner of Public Buildings to allow the medical faculty of the Columbian College, District of Columbia, to occupy the building for the purposes of an infirmary, &c., and under this act the building was turned over to them, and has been in their charge until very recently, when, by some arrangement of which I am ignorant, it was taken possession of by the War Department. The civil appropriation act of 1853 (Laws, vol. 10, page 207) contains this provision, viz: "To aid the directors of Washington Infirmary to enlarge their accommodations for the benefit of sick transient paupers, twenty thousand dollars."

That sum was, I understand, expended in enlarging and repairing the building; and being insufficient for all that was deemed necessary, the directors, at their own expense, completed the work. The building, when destroyed by fire, was in excellent order, and answered all the purposes for which it was used admirably.

There has been a regular annual appropriation for the support, care, and medical treatment of transient paupers in that institution ever since it was turned over to the medical faculty, commencing with an appropriation of two thousand dollars for twelve patients, and running up to six thousand dollars for forty patients; that being the amount of the last appropriation and the number of patients.—(Laws, vol. 12, p. 216.)

At the time the building was burned there were about twenty patients, sent there by the Commissioner of Public Buildings, in it; all of whom were safely taken out, and, under the same care, are now in another building.

The ruins and public property contiguous have, by your advice, been taken charge of by me, and a small appropriation will be necessary (say three thousand dollars) to enable me to take such course as prudence may dictate in relation to the property thus unexpectedly placed in my charge.

Congress will, undoubtedly, at an early day, take definite action, with a view to the ultimate permanent disposition of the entire property.

I have deemed it a duty to place before you this brief history of the Infirmary that it might be some guide for any future action in regard to it.

A NEW JAIL AND EXTENSION OF THE COURT-HOUSE.

These are subjects of great importance, not only to the citizens of the District, but to the government itself; and in consequence of the present unhappy condition of the country, and the ultimate results to which a triumph of a just and righteous cause must necessarily tend, it seems as if there never was a time when prompt action was more needed. I have already transmitted to you, in my regular estimates, estimates for the purposes indicated above. My predecessor in this office, John B. Blake, esq., has earnestly called attention to this subject, and I make the following extract from his last report, wherein the necessities for a new jail and an enlargement of the court-house are set forth very fully and with great strength of language:

"A new jail and the extension of the court-house are a public necessity. Grand jury after grand jury have presented them as unsuited for the objects for which they are designed, and as evils demanding a remedy. Committees of Congress have examined them, and, arriving at the same conclusion, have reported, either by bills or amendments, appropriations intended to remove these causes of almost universal complaint. The court-house and jail are the property of the government, and the judges and other officers of justice derive their appointments from the same source. There is no authority that can interfere with them but the government, and unless the government takes the matter in hand nothing will be done with them. Congress has exclusive jurisdiction within the District of Columbia, and to that body alone the citizens must look to supply their wants and redress their grievances. They are not discouraged by past neglect, and are hopeful for the future. They have an abiding confidence that Congress will ultimately listen to their appeals and comply with their just expectations. The action of the Senate at the last session in requesting you to include in the next annual estimates you may submit to Congress an estimate of the cost of a new jail, they regard as a favorable omen that the time is not far distant when Congress will cause a large and commodious building to be erected, that will relieve its unfortunate inmates of the unnecessary punishment and misery which a damp, contracted, badly ventilated, and crowded prison inflicts.

"The fact that the half of the City Hall occupied by the court belongs to the government does not seem to be generally known. The principal, and indeed almost only objection urged against the extension of the court-house, is the impression that it would be improving property which belongs to the city. To show how little ground there is for such an objection, I respectfully refer you to the first section of the act of Congress entitled 'An act for the accommodation of the circuit court of the United States for Washington county, in the District of Columbia, and for the preservation of the records of said court,' which is in the following words: 'That the President of the United States be, and he is hereby, authorized to cause to be purchased, and completely finished, in the City Hall, now building in the city of Washington, permanent and suitable apartments for holding the sessions of the circuit court of the United States for the county of Washington, in the District of Columbia, for the use of the grand and petit juries of the said county, for the offices of the clerk of said court and the marshal of the said District, and for the preservation and security of the books, papers, and records of the said court: *Provided*, That the said purchase can be made upon reasonable terms, and not exceeding the sum hereinafter appropriated. And for effecting the object of this act, the sum of ten thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.'—(Statutes at Large, vol. 3, fol. 785.) This act was approved March 3, 1823, and the Commissioner of Public Buildings made the purchase

and fitted up the building as the act required. As soon as it was finished, the court, clerk, and marshal's offices, with their books, papers, and records, were moved into it. At that time the population of Washington county, including Washington city and Georgetown, was about 25,000, and it is now upwards of 72,000. The accommodations necessary for the court and its officers then cannot reasonably be expected to be sufficient for them at the present day, when the population is nearly three times as large.

"The business of the court has increased in proportion to the population; and if there is any doubt upon the subject, let the incredulous visit the court-house, and the crowded rooms of the clerk's office, filled to the ceiling with books and papers, and the valuable land records forced into the passage, exposed in the most public manner, will undeceive his mind, and he can no longer remain skeptical on the subject. The original plan of the City Hall provides for the extension of the court-house portion of the building, and by merely carrying out the plan it will afford sufficient room for all the purposes of the several courts and their officers."

Your two immediate predecessors, Mr. McClelland and Mr. Thompson, have, in very urgent terms, called the attention of Congress to these subjects.—(See the report of Secretary McClelland, of November 29, 1856, pages 9 and 10, and the report of Secretary Thompson, of December 1, 1859, page 13.)

THE ROAD TO THE INSANE ASYLUM.

In my personal supervision of the repair of the roads appurtenant to the Navy Yard bridge, my attention was called to that portion of the road from the bridge to the Insane Asylum, which is beyond the terminus of the road legitimately under the supervision of the Commissioner of Public Buildings. That road is very hilly, and the approach to the asylum is tedious and difficult. By making a new road on the hill-side, the distance may be considerably shortened, and the road be so constructed as to present a gradual inclination from the point where it leaves the present road to the asylum gate, an inclination up which there will be no difficulty in hauling a load that it would be impossible to surmount the present steep hill with without more than doubling the ascending power used on the new road.

The Insane Asylum is now one of the most imposing buildings belonging to the government. It has been built at a large expense, although, considering its vastness, and appropriate, thorough, and elegant finish, with more economy than any other public building in the District. It is alike honorable and creditable to the generosity and sympathy for suffering humanity of an enlightened and paternal government. The nation has done an admirable deed in erecting it. It is daily growing in importance, and communication with it will soon be, if it is not now, constant. To make that communication as easy as possible, the approaches to it should be placed in the best possible condition, and this can be done at a comparatively trifling expense.

I submit herewith a survey of the road as it now is, with one of the contemplated new road, with an estimate of the cost of making it, and hope Congress may be induced to add this much to the noble charity they have already given.

VIRGINIA AVENUE.

The attention of Congress has been called many times to this great and important thoroughfare, leading from the grounds south of the President's House to the Navy Yard. It never has been even opened properly, and it would be of very great benefit to the citizens of Washington if it could be graded and gravelled so as to convert it into a road that could be comfortably travelled. I herewith submit an estimate of the amount that it would cost to make the road-way comfortably passable.

DRAINAGE AND REMOVAL OF NUISANCES.

The fifth section of the act of Congress "to create a metropolitan police district," &c., provides, among other things, that "it shall be the duty of the board of police * * to remove nuisances existing in the public streets, roads, alleys, highways, and other places." As all the public avenues and reservations of the city of Washington are especially in charge of the Commissioner of Public Buildings, the duty seems to devolve upon me of calling attention to the fact that there is no appropriation applicable to the carrying out of the power thus given to the board of police. There are at this moment many nuisances caused by obstructions, standing pools of water, &c., on the public streets and reservations belonging to the United States that should be abated, but there are no means with which to do it. I respectfully request that an appropriation may be made "for the removal or abatement of nuisances on the streets, avenues, and reservations belonging to the United States, of five thousand dollars."

While upon this subject, I respectfully call your attention to the encumbered situation of the streets in the vicinity of the Capitol, in consequence of the immense quantity of stone placed in them to be used in the erection of the Capitol extension. Some of the streets are rendered, by this encumbrance, almost impassable in the winter season. For seven or eight years New Jersey avenue, south of the Capitol, 1st and 2d streets east, between Maryland and Pennsylvania avenues, A and B streets north and south, from the Capitol gates to Second street east, and East Capitol street, from First street east to Third street, have all been so filled with huge blocks of stone as to deprive the inhabitants on those streets of the comfortable use of them, and to greatly obstruct the travel over them; and as the work upon the extension is now discontinued, there seems to be no prospect that these encumbrance will be removed for years to come unless by some special legislation. There are open spaces belonging to the United States, or vacant lots belonging to individuals, the rent of which would be a mere trifle, if anything, where all these blocks of marble might be placed, and the streets restored to their legitimate use. An appropriation of two thousand dollars, with the facilities now on hand, would be ample to remove all that should necessarily be removed.

THE CAPITOL EXTENSION.

The work on the Capitol extension has never been under the direction of the Commissioner of Public Buildings, but the extension itself, as fast as it becomes occupied, is under his general supervision by law; it therefore seems proper that I should call your attention specially to this great national work.

All labor upon the extension was suspended last spring, not, as I understand, for want of an appropriation, but on account of the vast demands on the treasury, caused by the rebellion and treason of the citizens of a portion of this Union.

It must be, and I know it is, a melancholy and discouraging sight to every loyal citizen, who sincerely believes in the overthrow of rebellion and treason, as all loyal citizens do, to see the Capitol of this great and powerful nation standing unfinished, with no effort making to complete it. It necessarily leads to a distrust in the sincerity of the expressed belief of those in whose hands the sovereign people have reposed their power, and I have heard regrets expressed more than once, by visitors from the loyal States, that the work was discontinued, assigning as a reason for such regrets the foregoing given by me.

When it is considered that less than one-fourth of a single day's expenditure in carrying on the war would complete the Capitol, can it be that Congress will suffer it to remain an unfinished monument of exultation for the enemies of the Union?

THE PATENT OFFICE BUILDING.

The Patent Office building is now completed, except the saloon in the north front now occupied as a military hospital, and the portico of the north front. I have, in my regular estimates, made an estimate, in conformity with that of the architect, and in compliance with a resolution of the Senate, for the completion of this building, which I hope will be made.

THE WASHINGTON CANAL.

The Washington canal, constructed at so great an expense, and which was at the time it was made, regarded as one of the greatest possible improvements to the city of Washington, is now nothing more nor less than a public nuisance. It is the grand receptacle of nearly all the filth of the city. The waste from all the public buildings, the hotels, and very many private residences, is drained into it. It is now in many places filled with accumulations from such sources, so as to present beds of rank vegetation and offensive soil above the level of the water. Unless something be done to clear away this immense mass of fetid and corrupt matter, the good citizens of Washington must, during some hot season, find themselves visited by a pestilence! I regard the abatement of this nuisance of more importance, in a sanitary point of view, than almost any other improvement in the whole city. The health of the entire population and the lives of thousands depend upon it. The question is, "What can be done?"

In the first place, the canal must be thoroughly dredged. An immense amount of filling will be necessary about the Capitol as soon as the grounds come to be graded, and it will be found difficult to obtain the material for such filling. I had considerable experience when I had the honor of holding the office of Commissioner several years ago, and can speak from actual knowledge. The deposit in the canal will serve the purpose admirably. It can be taken up by a dredge-boat, deposited without any shovelling in carts, and hauled to the place where it is wanted. The actual expense of filling up on the south side of the Capitol square will be much less than it would be were the material for filling shovelled into carts, even if it could be procured at a reasonable distance and carried to the place where wanted, so that the dredging would really be a matter of economy. I have no means of submitting an exact estimate with this report of the sum necessary to do the work recommended, but will procure one as soon as possible, and submit it, either to you or to the appropriate committee of the House of Representatives.

As soon as the canal is thoroughly cleaned out by the erection of a proper tide-gate at a proper place, which will shut of itself as soon as the water commences falling, and retain all the water above it, and then by the opening of it at low water the canal can be thoroughly swept out at least once every twenty four hours, and always kept clean.

TYBER CREEK.

The wall of Tyber creek, where it passes through that portion of reservation No. 2, known as the Botanic Garden, has been badly undermined and fallen in. It should be rebuilt. The wall, also, just above the culvert on Pennsylvania avenue has fallen, and the recent freshet has so washed the bank as to make it very dangerous to pass along Second street, and one man has recently been drowned by the precipitating of a carriage over the bank in the night, in consequence of the washing away of a portion of it. This also should be walled. An appropriation of five thousand dollars would enable the Commissioner of Public Buildings to rebuild these walls.

What should be done, and will eventually be done, is to arch over Tyber creek from the culvert on Pennsylvania avenue to the culvert across Indiana avenue, thus forming a single culvert from the north side of Indiana avenue to

the south side of Pennsylvania avenue. I recommended this several years ago, when I was Commissioner, and again respectfully call attention to it.

THE EXTENSION OF THE CAPITOL GROUNDS.

This is a subject of great importance, both to the government and the individuals who own the grounds proposed to be purchased. It is evident to every one that, when the extension of the Capitol is completed, the present grounds on the north and south must be enlarged. Many propositions of enlargement have been made, and in June, 1860, a section was added to the civil appropriation act, authorizing the ascertainment of the cash value of certain described real estate, being that which it was considered absolutely necessary to include in the Capitol grounds. Nine citizens were appointed to appraise the cash value of the real estate described, and after a careful investigation of the whole matter, the Commissioner reported the aggregate value of all the property described as \$417,594 90. The district attorney, to whom the subject was referred, in his report to Congress, in February last, says:

"It may not be considered inappropriate to say that very many of the parties interested consider that they are justly entitled to a settlement of this matter at this session of Congress, as it has been in suspense many years. They complain that they cannot rent their property for any fixed considerable period of time, and that they feel unwilling to improve vacant ground or add to present improvements in this state of uncertainty as to when the government may think proper to take it, and at what price."—(Senate Mis. Doc. No. 17, 36th Cong., 2d session.)

There is one view of this matter worthy of consideration at the present time. It is well known that the government now holds much private property under lease, or agreement, for army uses, for which it is paying high rents. If the present unfortunate war continues, many more private buildings must necessarily be occupied. The real estate which the government proposes to purchase for the extension of the Capitol grounds has upon it quite a large number of substantial brick buildings that would make excellent hospitals or quarters for troops, and were they now in the possession of the government much of the enormous rent now paid would be saved by the use of these buildings. I know of at least thirty buildings on the appraised property suitable for the purposes mentioned that would, in ordinary times, rent for the interest on the sum at which the entire property is appraised, and I will venture to say that the government could not, at this moment, obtain equal accommodations for twice that sum. If I am correct in this opinion, certainly a wiser investment of so much could not be made at the present time. If it is conceded that the government must at some time become possessed of the property, now is the time to purchase it, for it never can be purchased cheaper, and it never can be used more advantageously; and there is no doubt that the owners would be glad to take government securities, on any time that the United States might please to fix, in payment.

CONCLUSION.

I have thus endeavored to call your attention and the attention of Congress, through you, to such matters as are deemed by me most important, relative to public improvements directly under my charge or supervision. They all appear to me to be worthy of serious consideration, and I conclude by expressing an ardent hope that they may receive the *favorable* consideration of the exalted legislative bodies composing the Congress of the United States.

All which is respectfully submitted.

B. B. FRENCH,
Commissioner of Public Buildings.

HON. CALEB B. SMITH,
Secretary of the Interior.

Expenditures of public money made by W. S. Wood, esq., and by B. B. French, Commissioners of Public Buildings, from July 1, 1861, to October 31, 1861.

Heads of appropriations.	Expenditures from the 1st of July to the 31st of August, 1861, by W. S. Wood.	Expenditures from the 7th of September to the 31st of October, 1861, by B. B. French.
Clerk to Commissioner of Public Buildings	\$300 00	\$198 34
Messenger to Commissioner of Public Buildings	166 66	166 67
Laborer in charge of water-closets, Capitol	73 00	73 00
Public gardener	240 00	357 39
Doorkeeper, President's House	100 00	100 00
Assistant doorkeeper.....do	100 00	100 00
Two night watchmen.....do	200 00	200 00
Furnace keeper	100 00	100 00
Keeper of western gate, Capitol.....do	146 00	145 10
Two day watchmen.....do	200 00	200 00
Night watchman, public stables.....do	100 00	100 00
Twenty-two laborers on the public grounds	2,200 10	4,400 81
Drawkeepers at the Potomac bridge	520 80	512 40
Drawkeepers at the Eastern Branch bridge.....do	180 00	180 00
Auxiliary guard	4,501 42	-----
Washington Infirmary	1,496 30	1,278 38
Manure for the public grounds	459 12	412 62
Hire of carts on the public grounds	189 00	222 75
Tools used in the public grounds	48 31	49 11
Trees and tree-boxes, &c.	671 74	1,316 82
Annual repairs of the Capitol	3,246 46	3,793 67
Annual repairs of the President's House	2,365 88	2,712 37
Fuel in part for the President's House	340 25	124 48
Lighting the President's House, Capitol, &c.	4,481 17	14,575 88
Repairs of the Potomac, Navy Yard, and Upper bridges, &c. ..	682 71	9,147 58
Repairs of Pennsylvania avenue.....do	731 37	1,552 03
Repairs of water pipes.....do	28 21	273 95
Reservation No. 2 and Lafayette square.....do	543 45	468 28
Grounds south of the President's House	353 50	567 09
Contingent expenses office of Commissioner of Public Buildings	123 10	132 21
Coal and fireman for furnace to warm Congressional library ..	100 00	100 00
Watchman, reservation No. 2	100 00	100 00
Repairs of fences around the Smithsonian Institution.....do	23 50	-----
Rebuilding southern span of Long bridge.....do	67 20	-----
City lots	406 21	550 01
East wing Patent Office building	-----	65 40
North front.....do.....do	2,307 06	1,107 33
West wing.....do.....do	-----	186 66
Befurnishing President's House.....do	-----	335 50
Repairs of furnaces, Supreme Court room.....do	-----	302 95
Grading and gravelling B street, south.....do	-----	945 00

REPORT OF THE WARDEN OF THE PENITENTIARY.

INSPECTORS' OFFICE, U. S. PENITENTIARY,
Washington, D. C., October 21, 1861.

SIR: The inspectors of the penitentiary respectfully transmit herewith the annual reports of the warden, clerk, physician, matron, and chaplain of this institution. They also enclose a report for the Biennial Register and the annual estimate of appropriations for the support of the penitentiary, and a report upon the subjects embraced in the letter of the Hon. John Sherman, dated September 1, 1861, of which a copy was referred by you to the board of inspectors.

The act of March 3, 1829, makes it the duty of the inspectors to so manage that, if possible, the labor of the convicts shall pay all the expenses of the penitentiary, and if it fails to support itself, the inspectors are required to report to Congress the reason of such failure.

The present inspectors have been but a few months in office, and are not therefore prepared to give in detail all the reasons why the penitentiary is not and has not been a self-supporting institution. There are general causes for this result which are not likely to be obviated: the convicts, especially the colored convicts, are notoriously unprincipled, but frequently stupid and inapt, and enter the prison with a predetermination to do as little as possible for their own maintenance, and with the very general intent that their compulsory labor shall be as little beneficial as they can make it. Great waste of material necessarily occurs in teaching trades to such perverse and intractable apprentices, and in many cases wilful destruction of the materials is undoubtedly practiced, and covered by the excuse of inexperience and ignorance.

The terms for which the prisoners are incarcerated are generally short, and by the time a trade has been well acquired by a new hand, and his labor becomes remunerative, he is set at liberty by a pardon or by the expiration of his sentence. There is also a prejudice in the community, and especially among our mechanics, against the products of convict labor, and articles made in the penitentiary would by no means meet with as ready a sale as articles of similar quality manufactured by our citizens at large. The sentiment is felt, and frequently expressed, that a convict is sent to the penitentiary to labor as a punishment for crime, and not to bring his labor into competition with that of honest men.

Washington not being a commercial city, there is a slow sale for such manufactures as are practicable in a prison, and the cost of the raw material is much greater here than at the north. The cost of living is also comparatively higher here than in most localities where penitentiaries are established.

These are some of the reasons why the penitentiary has not been and is not likely to be supported by the labor of the convicts. The contract system has been tried and failed, the contractor frankly admitting that he found it impossible to fulfil the stipulations of his contract, from the loss of stock in teaching a

trade to such ignorant and wasteful hands, and the difficulty of disposing of his manufactures at anything like a remunerative price.

An addition is necessary to the present edifice, if the intent of Congress, that solitary confinement at night and when unemployed by day shall be a part of the punishment of the convict, shall be carried into effect. But in the present condition of public affairs, the board of inspectors can hardly expect that an appropriation would be made for this purpose, and they have not therefore suggested any plan nor proposed any estimate. There are improvements, however, of trifling cost, but essential to the convenience of the employés and conducive to the health of the prisoners, that ought to be made.

The article used for lighting the prison for some time past has been so enhanced in price by the war that the introduction of gas would add but little to the present expense, and render attainable a much more effective watch at night. Such of the convicts as are disposed to read for their improvement could also do so in their cells by the gaslight in the passages till the established hour for retirement to bed.

The introduction of the Potomac water is still more essential; and as a water-main passes close by the walls of the prison, it can be made available at a moderate cost. It is useless to argue the convenience and benefit of an ample supply of water among so large a number of persons certainly not conspicuous for attention to the laws of cleanliness and health, and the time and trouble that would be saved to the officers and employés by its introduction would be an element of efficiency in the management of the penitentiary.

The board of inspectors renew the recommendation of their immediate predecessors, that a law be passed by Congress providing that convicts breaking prison, escaping, or attempting to do so, shall be punished by an addition to their penal term, and providing more fully for the punishment of persons guilty of aiding and assisting a prisoner to escape.

The reports of the chaplain, physician, and matron show very fully the moral and sanitary state of the prison, and from a very frequent personal examination the inspectors are authorized to say, as they do with pleasure, that in these respects the penitentiary is in a very satisfactory condition.

The inspectors, being recently appointed, are not enabled to compare the present management with that of former years; but it is only justice to the present warden to say that he has shown commendable energy and capacity in the discharge of his duties, and that the penitentiary is remarkable for order, cleanliness, and discipline.

We are, very respectfully,

WILLIAM H. EDES,
R. B. CLARK,
J. M. BRODHEAD,
Inspectors.

Hon. CALLEB B. SMITH,
Secretary of the Interior.

UNITED STATES PENITENTIARY,
October 1, 1861.

GENTLEMEN: In compliance with the requisition of law, I have the honor to submit to you this my first annual report of the United States penitentiary.

I entered upon the duties as warden the 12th day of April last. I accepted this important position with a determination to labor for the interest of the institution, the moral and physical good of its inmates.

I found, upon examination, that there were one hundred and seventy-one prisoners. About one-half of this number were unemployed, and I might add, worse than that; for they were lounging in the yard, talking with one another, concocting plans to escape, &c., &c.; quite a number on the sick list, the balance

were employed in the broom and shoe shops. I at once came to the conclusion that every convict should have something to do, whether it proved a revenue to the institution or not. To carry out my idea it became necessary to purchase a quantity of tools for the shoe shop, and also machines for the broom shop. These I procured, and soon had the satisfaction of seeing all who were able at work.

The sickness I attributed to the filthy condition of the cells and workshops. I immediately had the whole prison thoroughly renovated with water, lime, and paint, and in a short time the health of the prisoners was improved, showing conclusively that the cause of the disease had been removed.

I also found that many of the prisoners were short of sufficient clothing to make them comfortable. This I supplied by purchasing the articles necessary, all of which has necessarily increased the expenses of the institution for the last few months.

We have labored under a great disadvantage, on account of not having a sufficient number of cells to accommodate the male prisoners, but I am happy to state that this difficulty, for the time being, has been removed. A part of the partition between the male and female departments has been removed, and a new wall built, taking in thirty-two more cells which can be used for the male department.

I regret to report that many of the convicts believed, that in the change of the administration, they were to be set free. Upon inquiry, I learned, to my surprise, that they had been told by some of the former guards, (who have since joined the secession army,) that the leaders of the southern confederacy, with their armies, would soon be here; that the prison doors should be opened and they go free.

Under such a state of excitement, and having a strong desire to obtain their liberty, no wonder that some should arise in open rebellion to the rules of the institution, and try to regain their liberty, even before that time arrived; but I am happy to state that but a short time elapsed before order was restored and all became quiet, and has remained so till the present time.

To A. T. Longley, deputy warden, and the guards generally, I owe much of my success, for their promptness in carrying out the rules of the prison.

In regard to the financial condition of the prison, the number of convicts, &c., &c., I would refer you to the accompanying report of the clerk, C. Homer, esq., to whom I am under many obligations.

I would also refer you to the report of the chaplain, physician, and matron, who are laboring to promote the general good of the prisoners under my charge, and the interest of the institution generally.

The great object of an institution of this kind is not merely to make it a paying one, (though this would be very desirable,) but to reclaim and bring back to the path of virtue and sobriety all who have gone astray, that when they shall have served their term of sentence, and are permitted to leave their prison walls, they will be better prepared to go out into the world and act well their part as honest men and women. This, in my opinion, can be accomplished in a great measure by having a library of good and useful books, (which is very much needed here,) and allowing the prisoners, after the labors of the day are over, and they are locked in their cells, the privilege of improving their minds by the perusal of those books, for unless a person is made better by his punishment nothing is gained but much lost.

Permit me to call your attention to one thing which would be of great convenience and benefit to this prison, and that is, the introduction of water and gas inside the prison walls. The expense would be trifling, as both pass within a few feet of the building. A prison, at best, is a dreary, lonesome habitation, and when poorly lighted is doubly so; and I have no doubt when you take into consideration the scarcity and high price of the article we are now using, it being at times almost impossible to procure it at any price, you will deem it essential to make some change in relation thereto.

Were it not for the deplorable state of the affairs of our country at the present time, the great draw upon the treasury, I should consider it to be my duty to urge upon you the necessity of petitioning Congress for an appropriation to build a new penitentiary.

A remark has often been made by distinguished visitors, (to which I heartily concur,) "that the United States penitentiary should be a model prison;" but instead of this, it falls far behind most of the prisons of the several States. But I have no doubt when this trouble, which affects every branch of business, in fact, our whole country, shall have ceased, that Congress will, without hesitation, grant a sufficient appropriation for building a prison of this kind.

In conclusion, gentlemen, allow me to express to you my sincere thanks for the assistance I have received from you, by way of counsel and advice, and I trust I shall discharge the several duties devolving on me to your entire satisfaction.

Very respectfully, your obedient servant,

H. I. KING,
Warden.

Honorable BOARD OF INSPECTORS.

OFFICE UNITED STATES PENITENTIARY, D. C.,
October 1, 1861.

GENTLEMEN: I have the honor herewith to submit statements exhibiting the financial operations of this prison for the fiscal year ending June 30, 1861, the nature and amount of expenditures during the business year ending September 30, 1861, and the number of convicts confined in this prison October 1, 1860; the number received, discharged, pardoned, &c, during the year; their sex, age, color, places of nativity, where convicted, crime, terms of sentence, employment, &c,

Very respectfully, your obedient servant,

CASTALIO HOSMER,
Clerk United States Penitentiary.

Honorable BOARD OF INSPECTORS.

Dr. *Penitentiary of the District of Columbia, in account current with the United States from July 1, 1860, to April 12, 1861.* Cr.

To balance in hands of warden July 1, 1861.....	\$1,570 16	By amount paid officers' salaries	\$10,176 96
To amount from United States, on account of officers' salaries.....	10,215 00	By amount paid inspectors' salaries	562 50
To amount from United States, on account of inspectors' salaries	562 50	By amount paid clothing and bedding	584 77
To amount from United States, on account of support and maintenance	6,296 25	By amount paid provisions	6,896 19
To amount received from sales.....	7,767 13	By amount paid fuel and lights	1,423 09
To balance due warden, C. P. Sengstack	777 98	By amount paid broom factory, (materials, &c.)	5,138 16
		By amount paid shoe factory	158 93
		By amount paid harness factory	61 87
		By amount paid horse feed, carriage, &c.	402 73
		By amount paid building and repairs	628 47
		By amount paid discharged convicts, (dues, &c.)	97 00
		By amount paid hospital stores, (medicines, &c.)	152 57
		By amount paid incidentals	905 78
	27,189 02		27,189 02

Dr. Penitentiary of the District of Columbia, in account current with the United States from April 12 to June 30, 1861. Cr.

To amount from United States, on account of officers' salaries	\$2,428 00	By amount paid officers' salaries	\$3,362 63
To amount from sales	2,220 36	By amount paid inspectors' salaries	187 50
To balance due warden, H. I. King	903 88	By amount paid clothing and bedding	82 42
		By amount paid provisions	492 63
		By amount paid fuel and lights	19 25
		By amount paid broom factory, (materials, &c.)	385 96
		By amount paid shoe factory, (materials, &c.)	282 17
		By amount paid harness factory, (materials, &c.)	76 78
		By amount paid horse feed, carriages, &c.	33 00
		By amount paid building and repairs	22 50
		By amount paid discharged convicts, (dues, &c.) ..	62 87
		By amount paid incidentals	544 53
	5,552 24		5,552 24

RECAPITULATION.

To amount of receipts for the fiscal year ending June 30, 1861	\$31,059 40	By amount of disbursements for the fiscal year ending June 30, 1861	\$32,741 26
To balance due the wardens	1,681 86		
	32,741 26		32,741 26

Statement showing the amount of clothing, provisions, fuel and lights, and hospital stores consumed from October 1, 1860, to April 12, 1861.

Dr.	Cr.	
Clothing—		
To amount of clothing on hand October 1, 1860.....	\$1,926 47	\$64 24
To amount paid and owing for clothing.....	2,202 16	866 50
	4,128 63	3,197 89
Provisions—		
To amount on hand October 1, 1860.....	406 71	193 15
To amount paid and owing for provisions.....	7,073 33	210 38
	7,479 04	7,075 51
Fuel and lights—		
To amount on hand October 1, 1860.....	738 76	95 00
To amount paid and owing for fuel and lights.....	1,973 72	2,617 48
	2,712 48	2,712 48
Hospital stores—		
To amount on hand October 1, 1860.....	200 00	175 00
To amount paid and owing.....	202 62	227 62
	402 62	402 62

Statement showing the amount of clothing, provisions, fuel and lights, and hospital stores consumed from April 12 to the end of the year, September 30, 1861.

Dr.

Cr.

Ex. Dec. 1—55

Clothing— To amount on hand April 12, 1861	\$866 50	Clothing— By amount on hand September 30, 1861	\$1,850 51
	To amount paid and owing for clothing		608 96
	2,459 47		2,459 47
Provisions— To amount on hand April 12, 1861	193 15	Provisions— By amount on hand September 30, 1861	47 50
	To amount paid and owing for provisions		3,224 64
	3,079 97		3,272 12
Fuel and lights— To amount on hand April 12, 1861	95 00	Fuel and lights— By amount on hand September 30, 1861	853 00
	To amount paid and owing for fuel and lights		611 11
	1,369 11		1,464 11
Hospital stores— To amount on hand April 12, 1861	175 00	Hospital stores— By amount on hand September 30, 1861	225 36
	To amount paid and owing for medicines		122 01
	172 37		347 37

RECAPITULATION.

Clothing.

Amount consumed from October 1, 1860, to April 12, 1861.....	\$3,197 89
Amount consumed from April 12 to September 30, 1861	608 96
Amount consumed during the year ending September 30, 1861	3,806 85

Provisions.

Amount consumed from October 1, 1860, to April 12, 1861.....	7,075 51
Amount consumed from April 12 to September 30, 1861	3,224 62
Amount consumed during the year ending September 30, 1861	10,300 13

Fuel and lights.

Amount consumed from October 1, 1860, to April 12, 1861.....	2,617 48
Amount consumed from April 12 to September 30, 1861	611 11
Amount consumed during the year ending September 30, 1861	3,228 59

Hospital stores.

Amount consumed from October 1, 1860, to April 12, 1861.....	227 62
Amount consumed from April 12 to September 30, 1861	122 01
Amount consumed during the year ending September 30, 1861	349 63

Statement showing the excess of expenditures over income in the shoe and broom factories from October 1, 1860, to April 12, 1861.
Dr. Cr.

Shoe factory— To amount paid and owing for materials, &c., from October 1, 1860, to April 12, 1861.....	\$2,666 21	Shoe factory— By amount received and charged on books..... By amount stock on hand April 12, 1861..... By amount of loss	\$490 25 1,137 60 1,038 36
Broom factory— To amount stock on hand October 1, 1860..... To amount paid and owing for materials.....	631 33 5,841 36 6,472 69	Broom factory— By amount received and charged on books..... By amount stock on hand April 12, 1861..... By amount of loss	2,050 62 580 10 3,841 97 6,472 69

Dr. *Statement showing the income over expenditures in the shoe and broom factories from April 12 to June 30, 1861.* Cr.

Shoe factory— To amount stock on hand April 12, 1861..... To amount paid and owing for materials, &c..... To excess of income over expenditures.....	\$1,173 60 8,070 83 1,963 01 11,171 44	Shoe factory— By amount received and charged on books..... By amount stock on hand September 30, 1861...	\$4,922 16 6,249 28 11,171 44
Broom factory— To amount stock on hand April 12, 1861..... To amount paid and owing for materials, &c..... To excess of income over expenditures.....	580 10 4,058 61 710 78 5,349 49	Broom factory— By amount received and charged on books..... By amount stock on hand September 30, 1861...	3,147 67 2,201 82 5,349 49

RECAPITULATION.

Shoe factory.

Amount of expenditures over income from October 1, 1860, to April 12, 1861.....	\$1,038 36
Amount of income over expenditures from April 12 to September 30, 1861.....	1,963 01
Amount of income over expenditures during the year ending September 30, 1861.....	924 65

Broom factory.

Amount of expenditures over income from October 1, 1860, to April 12, 1861.....	3,841 97
Amount of income over expenditures from April 12 to September 30, 1861.....	710 78
Amount of expenditures over income during the year ending September 30, 1861.....	3,131 19

Dr. *Statement showing the income and ordinary expenditures of the penitentiary from October 1, 1860, to April 12, 1861.* Cr.

To amount of clothing and bedding consumed	\$3,197 89	By excess of expenditures over income	\$14,044 00
To amount of provisions consumed	7,075 51		
To amount of fuel and lights consumed	2,617 48		
To amount of hospital stores consumed	227 62		
To amount of incidentals consumed	614 70		
To amount paid discharged convicts	73 00		
To amount of horse feed, &c., consumed	237 80		
	14,044 00		14,044 00

Statement showing the income and ordinary expenditures of the penitentiary from April 12 to the end of the year, September 30, 1861.

Dr.	Cr.
To amount of clothing and bedding consumed.....	By amount of income from broom factory
To amount of provisions consumed.....	By amount of income from shoe factory
To amount of fuel and lights consumed	By excess of expenditures over income
To amount of hospital stores consumed	
To amount of incidentals consumed	
To amount paid discharged convicts	
To amount of horse feed, &c., consumed	
	\$608 96
	3,224 62
	611 11
	122 01
	451 55
	179 82
	85 00
	5,283 07
	\$710 78
	1,963 01
	2,609 28
	5,283 07

Dr.	RECAPITULATION	Cr.
To amount of expenditures from October 1, 1860, to April 12, 1861	\$14,044 00	\$2,673 79
To amount of expenditures from April 12 to September 30, 1861	5,283 07	16,653 28
To amount of expenditures during the year ending September 30, 1861	19,327 07	19,327 07

By income from shoe and broom factories ...
By excess of expenditures over income

UNITED STATES PENITENTIARY,
Washington, D. C., October 15, 1861.

GENTLEMEN: In conformity to the regulations of your board, I have the honor of submitting the following statement of the sanitary condition of this institution from the 15th of April, 1861, the date of my appointment, to the 30th of September, 1861.

The general health of the institution has been good. The prisoners have not suffered from any epidemic diseases, with the exception of twenty or thirty cases of diarrhoea and dysentery during the summer, and a few cases of chills and fever during the autumn. There has been but little sickness, save cases of a chronic character occurring in those whose constitutions have been impaired by a life of vice and dissipation.

There have been no deaths during the period of my attendance.

This favorable sanitary condition of the institution, I attribute chiefly to the good food and attention which is given to the prisoners.

Very respectfully, your obedient servant,

JOHN B. KEASBY, *M.D.*

BOARD OF INSPECTORS.

To the honorable Board of Inspectors:

GENTLEMEN: I entered upon the discharge of the duties of matron of the United States penitentiary, the 17th day of April last, and with pleasure submit to you a brief report of the affairs of this department since I have had charge.

At the present time there are only eight female convicts, two white and six colored. This small number speaks well for our sex. Four have been discharged and two received, all colored. They are employed at housekeeping, and washing, ironing, and mending the clothing of the male convicts.

The wash-house, and everything connected with it, is of the old plan, and entirely too small, which makes it very inconvenient, and often causes me much trouble.

The health of the inmates of this department has been generally good. The physician has always paid every attention, when his services were required.

The convicts attend religious exercises in the chapel every Sabbath. I have, in most cases, found that they can be managed by firmness and kindness, and generally their conduct has been respectful and obedient; but in a few cases they have given way to their tempers and become ungovernable. At such times I have received assistance from the deputy warden, to whom I feel much indebted. The guards have ever been ready to render me assistance when necessary.

I would express to you my thanks for the interest you have manifested in this department, and I hope my efforts to benefit those under my charge will meet your approbation.

Respectfully, yours,

S. L. KING, *Matron.*

FEMALE DEPARTMENT, U. S. PENITENTIARY, *October 1, 1861.*

UNITED STATES PENITENTIARY,
Washington, D. C., October 1, 1861.

GENTLEMEN: During the year just closed, I have not varied from the stated means employed the preceding year for the improvement of the moral condition of the inmates of this penitentiary. Bible classes have been taught and divine service held in the chapel every Sabbath; while personal conversations on religion have been used on all appropriate occasions.

I have found the prisoners uniformly willing, often desirous, to talk about religious things.

The chief difficulty met here is a common inclination to select speculative or controversial subjects to the exclusion of practical ones; there are, however, commendable exceptions.

The behavior in the chapel during service is generally unexceptionable, in fact, it would do no discredit to any congregation of worshipers.

The great improvement that has been effected in this respect since the date of my last report, results, not only from proper instructions, but from excellent discipline now enforced, and the example set by the warden and officers, and members of their families, in attending the religious exercises.

The efforts to induce reformation in these erring convicts are in a measure successful; two females, both colored, have recently been baptized.

A considerable number of the male prisoners are striving to build up moral and religious characters; some of these have gone out to mingle with the world, and to meet its trials and temptations. As far as I have been able to trace them they are doing well; several have joined orthodox branches of the church, and, by their conduct thus far, encourage me to expect permanency in their reformation.

Very respectfully, your obedient servant,

H. N. SYPES, *Chaplain.*

The BOARD OF INSPECTORS.

Journal of convicts of the United States

No.	Names.	When received.	Sex and color.	Where born.	Age.
1	W. E.	Oct. 4, 1852	White man	Illinois	26
2	I. F.	Aug. 2, 1853	Black man	Maryland	18
3	I. T. W.	Aug. 16, 1853	do	District of Columbia...	19
4	G. S.	Dec. 14, 1854	do	Maryland	40
5	I. F. B.	Sept. 22, 1855	do	District of Columbia...	23
6	L. H.	Dec. 17, 1855	White man	Germany	17
7	J. J.	Jan. 14, 1856	do	Maryland .....	.....
8	G. R.	Jan. 15, 1856	Mulatto man	District of Columbia...	.....
9	W. W. B. E.	Mar. 25, 1856	White man	England	34
10	J. E. B.	Aug. 8, 1856	do	Virginia	34
11	J. W. D.	Aug. 19, 1856	do	do	20
12	R. T.	Aug. 31, 1856	Black man	District of Columbia...	19
13	L. P. B.	Dec. 22, 1856	White man	Virginia	33
14	G. C.	do	do	New York	25
15	J. R.	Jan. 6, 1857	do	Virginia	30
16	J. S.	do	do	Pennsylvania	21
17	I. G.	do	do	do	22
18	R. T. J.	Sept. 23, 1857	do	Maryland	24
19	W. W. C.	do	do	Pennsylvania	43
20	J. L.	Jan. 7, 1858	do	Virginia	22
21	W. E.	do	do	Ireland	33
22	G. H.	Jan. 15, 1858	do	District of Columbia...	28
23	J. W.	Jan. 16, 1858	Black man	Virginia	18
24	B. W.	Feb. 1, 1858	White man	District of Columbia...	24
25	M. McP.	do	Black woman	Maryland	29
26	B. B.	Feb. 8, 1858	Black man	District of Columbia...	18
27	J. C.	April 3, 1858	White boy	Maryland	16
28	T. C.	do	do	do	16
29	C. H.	April 10, 1858	White man	Germany	25
30	F. P.	April 24, 1858	White woman	District of Columbia...	20
31	B. O.	May 4, 1858	White man	do	29
32	S. B.	May 19, 1858	do	Virginia	17
33	G. C.	do	do	Maryland	19
34	A. H.	Aug. 7, 1858	do	At sea	25
35	H. W.	do	do	Germany	23
36	J. R.	do	White boy	Ireland	13
37	T. H.	do	do	do	16
38	W. G. W.	Oct. 5, 1858	White man	Virginia	22

Penitentiary, District of Columbia.

Where convicted.	No. of convictions.	Crime.	Term of sentence.	Employment.	When discharged.
Virginia.....	1	Robbing U. S. mail.....	10	Shoemaker	Pardoned April 15, 1861.
Washington, D.C.	1	Arson.....	12	Walter .....	.....
do.....	1	do.....	12	Shoemaker .....	.....
do.....	1	Rape.....	15	Cook .....	.....
do.....	1	Assault and battery.....	5	Shoemaker	Sept. 22, 1860.....
do.....	1	Larceny.....	5	Baker	Dec. 17, 1860.....
do.....	1	Arson.....	5	Laborer	Jan. 4, 1861.....
do.....	1	Manslaughter.....	8	do.....	.....
do.....	1	do.....	7	Shoemaker .....	.....
do.....	1	Larceny.....	6	do.....	.....
do.....	1	do.....	6	do.....	Pardoned Sept. 30, 1861.
do.....	1	Arson.....	5	do.....	.....
do.....	1	Manslaughter.....	5	Laborer .....	.....
do.....	1	do.....	5	Shoemaker .....	.....
do.....	1	Larceny.....	4	do.....	Jan. 5, 1861.....
do.....	1	do.....	4	do.....	do.....
do.....	1	do.....	4	do.....	do.....
do.....	1	Assault and battery, with intent to kill.	4	do.....	Pardoned Jan. 29, 1861.
Virginia.....	1	Felony.....	10	do.....	Pardoned March 3, 1861.
Washington, D.C.	1	Larceny.....	6	do.....	.....
do.....	1	Burglary.....	4	do.....	.....
do.....	1	Assault and battery, with intent to kill.	5	do.....	Pardoned March 3, 1861.
do.....	1	Mayhem.....	4	Laborer	Escaped July 24, 1861.
do.....	1	Manslaughter.....	8	Broom-maker	Pardoned June 10, 1861.
do.....	2	do.....	6	Washerwoman.....	Feb. 7, 1861.....
do.....	1	do.....	3	Cook .....	.....
do.....	1	Assault and battery, with intent to kill.	8	Broom-maker .....	.....
do.....	1	do.....	3	Shoemaker	April 1, 1861.....
do.....	1	Burglary.....	3	do.....	April 9, 1861.....
do.....	3	Assault and battery, with intent to kill.	3	Washerwoman.....	April 25, 1861.....
do.....	8	Manslaughter.....	8	Broom-maker	Pardoned June 22, 1861.
Virginia.....	1	Robbing U. S. mail.....	10	Shoemaker	Pardoned August 22, 1861.
Washington, D.C.	1	Manslaughter.....	8	do.....	.....
do.....	2	Manslaughter and robbery.	15	do.....	.....
do.....	1	Manslaughter.....	8	Carpenter .....	.....
do.....	1	Assault and battery, with intent to kill.	3	Shoemaker	Pardoned March 3, 1861.
do.....	1	do.....	3	do.....	Pardoned March 3, 1861.
Virginia.....	1	Robbing U. S. mail.....	2	do.....	October 1, 1860..

Journal of convicts, &c.

No.	Names.	When received.	Sex and color.	Where born.	Age.
39	J. P. M.	Oct. 5, 1858	White man	Ohio	23
40	C. H. B.	Nov. 8, 1858	do	Maryland	22
41	T. H. D.	Dec. 10, 1858	do	do	19
42	T. G.	do	do	Ireland	56
43	W. H.	Dec. 19, 1858	do	District of Columbia	19
44	L. T.	Dec. 22, 1858	do	Prussia	25
45	T. D.	do	Black man	District of Columbia	23
46	J. D. B.	Dec. 23, 1858	White man	France	27
47	B. G.	Dec. 27, 1858	do	Pennsylvania	26
48	B. G.	do	Black man	Maryland	26
49	F. B.	Jan. 8, 1859	White man	do	29
50	A. G.	Jan. 9, 1859	Black man	District of Columbia	19
51	T. S.	Jan. 18, 1859	White man	Connecticut	18
52	J. S.	do	do	New York	30
53	W. H.	Jan. 24, 1859	Black man	Virginia	31
54	E. P.	Jan. 27, 1859	White man	District of Columbia	18
55	P. T.	Mar. 14, 1859	do	Ireland	34
56	L. B.	Mar. 17, 1859	Black man	District of Columbia	25
57	W. B.	Mar. 20, 1859	do	do	21
58	A. B.	April 3, 1859	White man	Greece	38
59	J. H. R.	June 24, 1859	do	Maryland	30
60	A. H.	June 28, 1859	Black woman	Virginia	22
61	F. S.	do	Black man	do	43
62	H. H.	July 7, 1859	White man	District of Columbia	31
63	L. A.	July 8, 1859	do	Leon, C. A.	35
64	E. G.	July 12, 1859	Black man	Virginia	31
65	G. F.	do	do	Maryland	36
66	L. S.	July 18, 1859	White man	Cherokee	19
67	M. D.	July 20, 1859	do	New York	21
68	I. K.	do	do	Ireland	19
69	R. B.	do	do	Maryland	18
70	W. L.	do	Black man	New York	19
71	G. W.	do	do	District of Columbia	21
72	I. R. D.	Aug. 26, 1859	White man	Georgia	35
73	I. F.	do	do	do	23
74	W. F.	do	do	New York	32
75	I. G.	do	do	Ireland	25
76	W. W.	do	do	Canada	21
77	C. P.	Oct. 1, 1859	do	Pennsylvania	23
78	J. N.	Jan. 7, 1860	do	New York	21
79	E. G.	Dec. 1, 1859	do	Massachusetts	22
80	M. D.	do	do	Ireland	24
81	T. H.	do	do	Pennsylvania	23
82	I. S.	Dec. 9, 1859	Black man	Virginia	35
83	F. K.	Dec. 10, 1859	White man	Ireland	50
84	C. S.	Dec. 16, 1859	Black man	District of Columbia	23
85	J. R.	Dec. 17, 1859	White man	Virginia	26
86	G. H.	Dec. 18, 1859	Black man	District of Columbia	27
87	I. D.	Dec. 20, 1859	do	do	27
88	I. W.	do	do	do	26
89	W. H. C.	Dec. 22, 1859	do	do	19

—Continued.

Where convicted.	No. of convictions.	Crime.	Term of sentence.	Employment.	When discharged.
Virginia.....	1	Pass'g counterfeit money.	2	Shoemaker	October 1, 1860..
Washington, D.C	1	Murder	Life	Baker.....	Escaped March 27, 1861.
do.....	1	Larceny	4	Shoemaker	.....
do.....	1	do.....	2½	Laborer	June 9, 1861....
do.....	1	Horse stealing.	3	Broom-maker	.....
do.....	1	Larceny	2½	Shoemaker	June 22, 1861..
do.....	1	do.....	2½	Laborer	do.....
do.....	2	do.....	2½	Shoemaker	June 23, 1861..
do.....	1	do.....	4	do.....	.....
do.....	1	do.....	2½	Laborer	June 27, 1861..
do.....	1	do.....	2	Shoemaker	January 6, 1861.
do.....	2	do.....	5	do.....	.....
do.....	1	do.....	3	do.....	.....
do.....	1	do.....	3	do.....	.....
do.....	2	do.....	1½	do.....	Oct. 24, 1860..
do.....	1	Manslaughter.	4	Broom-maker	.....
do.....	1	Larceny	2	Blacksmith	Mar. 11, 1861..
do.....	2	do.....	2	Shoemaker	Mar. 13, 1861..
do.....	1	do.....	2	do.....	Mar. 19, 1861..
do.....	1	Felony	2	Laborer	April 13, 1861..
do.....	1	Larceny	6	Blacksmith	.....
do.....	1	Robbing U. S. mail.	2	Washerwoman.	June 27, 1861..
do.....	1	Larceny	2	Laborer	do.....
do.....	1	Manslaughter	8	Shoemaker	.....
do.....	1	Larceny	1½	do.....	Jan. 6, 1861..
do.....	1	do.....	2	do.....	July 10, 1861..
do.....	1	do.....	4	do.....	.....
do.....	1	do.....	2	Laborer	Oct. 23, 1861..
do.....	1	Burglary and arson.	7	Broom-maker	.....
do.....	1	Arson	3	Shoemaker	.....
do.....	1	do.....	8	do.....	.....
do.....	1	do.....	3	do.....	.....
do.....	1	Larceny	2	Laborer	July 20, 1860..
Florida.....	1	Robbing U. S. mail.	2	Shoemaker	do.....
do.....	1	Manslaughter.	2	do.....	Aug. 5, 1861..
do.....	1	do.....	3	do.....	.....
do.....	1	Mutiny.....	7	do.....	.....
do.....	1	do.....	7	do.....	.....
Virginia.....	1	Felony.....	5	do.....	.....
Kansas.....	1	do.....	1	do.....	Sept. 28, 1860..
Virginia.....	1	do.....	5	do.....	.....
do.....	1	do.....	2	do.....	.....
do.....	1	do.....	2	do.....	.....
Washington, D.C	1	Larceny	2	do.....	.....
do.....	2	do.....	2	Broom-maker	.....
do.....	1	Assault, with intent to kill.	3	Shoemaker	.....
do.....	1	Larceny	1½	Broom-maker	June 17, 1861..
do.....	3	do.....	1	Shoemaker	Dec. 18, 1860..
do.....	1	do.....	1½	do.....	June 19, 1861..
do.....	1	do.....	1½	do.....	do.....
do.....	1	do.....	2	Broom-maker	.....

Journal of convicts &c.

No.	Names.	When received.	Sex and color.	Where born.	Age.
90	E. L.	Dec. 22, 1859	White man	Virginia	22
91	J. B.	do	Black man	District of Columbia	16
92	W. H. W.	Dec. 26, 1859	White man	Pennsylvania	21
93	B. L.	Dec. 23, 1859	do	District of Columbia	28
94	T. E. R.	Jan. 4, 1860	do	Maryland	29
95	P. C.	Jan. 5, 1860	Black man	do	30
96	C. B.	do	White man	District of Columbia	29
97	J. B.	Jan. 7, 1860	do	England	23
98	W. H.	do	do	Kentucky	23
99	A. K.	Jan. 9, 1860	Black man	District of Columbia	16
100	C. S.	Jan. 11, 1860	do	Virginia	21
101	C. C.	Jan. 14, 1860	White man	France	30
102	T. B.	Jan. 18, 1860	do	Pennsylvania	17
103	S. W.	do	Black woman	District of Columbia	30
104	J. W. M.	Jan. 25, 1860	Black man	Virginia	22
105	E. D.	Jan. 27, 1860	do	District of Columbia	19
106	M. P.	Jan. 31, 1860	White man	Germany	34
107	J. W. H.	Feb. 7, 1860	do	Georgia	24
108	W. B.	Feb. 10, 1860	do	Ireland	40
109	T. F.	Mar. 7, 1860	do	do	56
110	B. A. T.	do	Black man	District of Columbia	36
111	J. F.	do	do	do	30
112	J. S.	Mar. 9, 1860	White man	Ireland	35
113	T. B.	do	do	England	25
114	R. E.	do	Black man	District of Columbia	29
115	J. N.	Mar. 10, 1860	White man	Pennsylvania	43
116	T. F.	do	Black man	Virginia	19
117	G. K.	do	do	District of Columbia	18
118	G. T.	Mar. 14, 1860	do	Maryland	28
119	G. F. E.	Mar. 16, 1860	White man	France	22
120	D. B.	Mar. 13, 1860	do	Ireland	30
121	J. G.	do	do	Germany	21
122	W. H.	do	do	Virginia	60
123	J. D.	Mar. 20, 1860	do	Vermont	22
124	J. H.	do	do	Pennsylvania	24
125	J. H.	do	do	Maryland	23
126	A. K.	do	do	District of Columbia	39
127	J. L.	do	do	Ireland	27
128	H. J.	do	do	Germany	28
129	J. F.	Mar. 21, 1860	do	Virginia	32
130	J. W.	Mar. 24, 1860	do	Ireland	29
131	F. H.	April 14, 1860	Black man	Virginia	21
132	M. W.	April 26, 1860	Black woman	do	16
133	C. P.	do	Black man	District of Columbia	30
134	W. M.	do	do	do	23
135	E. A. H.	April 27, 1860	White man	Florida	20
136	H. W.	April 29, 1860	do	Virginia	23
137	J. B.	May 11, 1860	do	England	31
138	E. A.	May 17, 1860	do	Ireland	26
139	W. C. W.	do	do	Pennsylvania	20

—Continued.

Where convicted.	No. of convictions.	Crime.	Term of sentence.	Employment.	Discharged.
Washington, D.C.	1	Larceny	2	Tailor .....	.....
do.	1	do	1½	Shoemaker	Mar. 22, 1861
do.	1	do	1	do	Dec. 26, 1860
do.	1	do	1½	Broom-maker	June 23, 1861
do.	1	Subornation of perjury	4	Bricklayer .....	.....
do.	2	Larceny	1	Laborer	Jan. 4, 1861
do.	1	Assault and battery, with intent to kill	8	Shoemaker	Pardoned August 10, 1861
Kansas	1	Felony	1	do	Dec. 16, 1860
do.	1	do	1	do	do
Washington, D.C.	1	Larceny	2	do .....	.....
do.	1	do	1½	do	July 10, 1861
do.	2	do	2½	do .....	.....
do.	1	do	1	do	July 18, 1861
do.	2	False pretences	1	Washerwoman	Jan. 18, 1861
do.	1	do	3	Shoemaker .....	.....
do.	1	Larceny	3	do .....	.....
do.	1	Bigamy	15	do .....	.....
Florida	1	Robbing U. S. mail	15	do .....	.....
Washington, D.C.	1	Larceny	14	Tailor	Pardoned, Oct. 4, 1861
do.	1	do	2	Laborer .....	.....
do.	3	do	3	Shoemaker .....	.....
do.	2	do	3	do .....	.....
do.	2	Assault and battery, with intent to kill	2	Broom-maker .....	.....
do.	1	Larceny	1½	Shoemaker	Sept. 8, 1861
do.	1	do	1½	do	do
do.	1	do	1½	do	Sept. 9, 1861
do.	1	do	2	Waiter .....	.....
do.	1	do	2	Shoemaker .....	.....
do.	2	False pretences	3	do .....	.....
Florida	1	Murder	7	do .....	.....
Washington, D.C.	1	Arson	3	Tailor .....	.....
do.	1	Larceny	1	Shoemaker	Mar. 12, 1861
do.	1	do	1½	Tailor	Sept. 12, 1861
do.	1	Rape	10	Shoemaker .....	.....
do.	1	do	10	do .....	.....
do.	1	do	10	do .....	.....
do.	2	Larceny	1½	Laborer	Sept. 19, 1861
do.	1	do	1½	Broom-maker	do
do.	1	False pretences	2	do .....	.....
do.	1	Larceny	1	Shoemaker	Mar. 20, 1861
do.	1	do	11	do .....	.....
Virginia	1	Robbing U. S. mail	2	do .....	.....
Washington, D.C.	1	Larceny	3	Washerwoman .....	.....
do.	3	do	3	Shoemaker .....	.....
do.	2	do	2	do .....	.....
Florida	1	Robbing U. S. mail	1	do	April 16, 1861
Washington, D.C.	1	Horse stealing	3	do .....	.....
Virginia	1	Misdemeanor	3	Broom-maker .....	.....
Kansas	1	Larceny	½	Shoemaker	Oct. 12, 1860
do.	1	do	1	do	May 7, 1861

Journal of convicts, &c.

No.	Names.	When received.	Sex and color.	Where born.	Age.
140	P. K.	June 10, 1860	White man	Ireland	30
141	P. H.	June 19, 1860	do	France	38
142	H. A.	June 22, 1860	do	Virginia	23
143	W. A.	June 23, 1860	Black man	do	19
144	A. J.	June 20, 1860	do	District of Columbia	21
145	M. B.	June 25, 1860	do	do	27
146	C. P.	June 30, 1860	White man	Mexico	33
147	E. H.	July 2, 1860	Black man	Virginia	19
148	J. C.	July 3, 1860	do	District of Columbia	27
149	L. H.	do	do	Virginia	21
150	R. M.	July 11, 1860	White man	Maryland	24
151	P. S.	July 13, 1860	Black woman	District of Columbia	13
152	L. R.	do	do	do	21
153	J. J. S.	July 18, 1860	White man	do	22
154	C. M.	July 20, 1860	do	Missouri	22
155	J. McC.	do	do	do	26
156	J. G.	do	do	Virginia	22
157	A. S.	July 24, 1860	do	District of Columbia	18
158	J. C.	do	do	New York	33
159	J. W. F.	July 28, 1860	Black woman	District of Columbia	18
160	G. L.	do	do	do	21
161	A. C.	Aug. 6, 1860	White woman	do	24
162	W. F.	do	White man	do	19
163	A. C.	Aug. 17, 1860	Black man	do	22
164	L. J. O.	Sept. 8, 1860	White man	Ohio	35
165	J. G. W.	do	do	Virginia	51
166	J. B.	do	do	Maryland	33
167	L. D.	Dec. 5, 1860	Black boy	do	13
168	J. R.	Dec. 7, 1860	White man	District of Columbia	19
169	J. M.	do	do	Germany	21
170	C. E. N.	Dec. 8, 1860	do	Prussia	47
171	J. R.	Dec. 10, 1860	Black man	District of Columbia	19
172	L. B.	Dec. 11, 1860	White man	Maryland	23
173	H. T.	do	Black man	Virginia	17
174	P. S.	Dec. 13, 1860	White man	Switzerland	20
175	G. O. D.	do	do	District of Columbia	25
176	S. M.	Dec. 14, 1860	do	Germany	22
177	J. W.	Dec. 19, 1860	Black man	District of Columbia	20
178	T. F.	Dec. 20, 1860	do	Virginia	24
179	M. K.	do	White man	Bavaria	20
180	E. H.	Dec. 21, 1860	Black woman	Virginia	35
181	W. H. S.	Dec. 22, 1860	Black boy	District of Columbia	14
182	D. M.	Dec. 26, 1860	White man	Maryland	30
183	A. B.	Dec. 28, 1860	White woman	England	45
184	H. J.	Dec. 31, 1860	White man	District of Columbia	50
185	C. F. L.	do	do	Saxony	27
186	J. R.	Jan. 10, 1861	do	Ireland	27
187	H. W.	Jan. 19, 1861	Black woman	Virginia	40
188	P. McC.	do	White man	Ireland	40
189	W. J.	Jan. 25, 1861	do	District of Columbia	23
190	G. P.	Feb. 1, 1861	do	do	19

—Continued.

Where convicted.	No. of convictions.	Crime.	Term of sentence.	Employment.	Discharged.
Washington, D.C.	1	Aiding rape.....	10	Broom-maker .....	.....
do.	1	Larceny	3	Shoemaker .....	.....
do.	1	do.	2	do. ....	.....
do.	1	do.	1½	Broom-maker .....	.....
do.	2	do.	1	Laborer	June 19, 1861..
do.	3	do.	1	Shoemaker	June 24, 1861..
do.	1	do.	2	Broom-maker .....	.....
do.	1	do.	3	Shoemaker .....	.....
do.	2	do.	1½	do. ....	.....
do.	1	do.	1½	do. ....	.....
do.	1	do.	3	Baker .....	.....
do.	1	do.	1	Washerwoman.	July 12, 1861..
do.	1	do.	1	do.	do.
do.	1	do.	1½	Broom-maker .....	.....
Kansas.	1	Passing counterfeit coin	2	do. ....	.....
do.	1	Larceny	2½	Shoemaker	Feb. 4, 1861..
Kansas.	1	Counterfeiting	3	do. ....	.....
Washington, D.C.	1	Larceny	1½	Broom-maker .....	.....
do.	1	do.	2	do. ....	.....
do.	1	do.	1½	Shoemaker .....	.....
do.	1	do.	1½	Waiter .....	.....
do.	1	do.	2	Washerwoman. ....	.....
do.	1	Horse stealing	3	Shoemaker .....	.....
do.	1	Larceny	1½	Broom-maker .....	.....
Virginia.	1	Felony	10	Shoemaker .....	.....
do.	1	do.	2	Tailor .....	.....
do.	1	do.	2	Shoemaker .....	.....
do.	1	Larceny	1½	do. ....	.....
Washington, D.C.	1	do.	1½	Laborer .....	.....
do.	1	do.	1	Broom-maker .....	.....
do.	1	do.	6	Blacksmith .....	.....
do.	1	do.	1½	Shoemaker .....	.....
do.	1	do.	1	do. ....	.....
do.	1	do.	1½	do. ....	.....
do.	1	do.	3	Broom-maker .....	.....
do.	1	do.	1	Shoemaker .....	.....
do.	1	do.	1	Tailor .....	.....
do.	1	do.	3	Shoemaker .....	.....
do.	2	do.	1	do. ....	.....
do.	1	do.	2½	Broom-maker .....	.....
do.	1	do.	1	Fits .....	.....
do.	1	do.	1½	Shoemaker .....	.....
do.	1	do.	1½	do. ....	.....
do.	1	do.	1	Washerwoman. ....	.....
do.	1	do.	2	Broom-maker	Pardoned July 27, 1861.
do.	1	do.	3	do. ....	.....
Texas.	1	Mutiny	10	Shoemaker .....	.....
Washington, D.C.	1	Larceny	1	Washerwoman .....	.....
do.	1	do.	1	Laborer .....	.....
do.	1	do.	1½	Broom-maker .....	.....
do.	1	False pretences.....	1	Shoemaker .....	.....

No.	Names.	When received.	Sex and color.	Where born.	Age.
191	E. D.	Feb. 2, 1861	White man	District of Columbia ...	33
192	J. H.	Feb. 4, 1861	do.....	Ireland	24
193	G. S.	Feb. 11, 1861	do.....	Maryland	22
194	F. B.	do.....	Black man	Virginia	20
195	A. L. C.	Feb. 16, 1861	White man	Rhode Island	36
196	J. S.	Feb. 21, 1861	Black man	Jamaica	20
197	E. J.	do.....	do.....	Bermuda	22
198	E. H. N.	do.....	do.....	Maryland	35
199	T. J.	do.....	do.....	Nova Scotia	22
200	T. F.	Mar. 13, 1861	do.....	District of Columbia ...	20
201	G. E.	Mar. 14, 1861	do.....	Virginia	27
202	J. S.	do.....	White man	Maryland	19
203	J. T.	Mar. 18, 1861	Black man	District of Columbia ...	22
204	J. F.	Mar. 20, 1861	White man	Germany	37
205	A. D.	do.....	do.....	do.....	42
206	N. G.	Mar. 22, 1861	Black man	Virginia	21
207	J. O.	Mar. 23, 1861	do.....	District of Columbia ...	17
208	P. O. N.	Mar. 25, 1861	White man	Ireland	18
209	C. D. V.	April 12, 1861	do.....	West Indies	32
210	J. F.	June 6, 1861	do.....	Ireland	22
211	M. M.	June 22, 1861	Black woman	Maryland	38
212	M. D. R.	do.....	White man	Germany	26
213	C. S.	June 24, 1861	do.....	Indiana	27
214	O. S.	do.....	Black man	District of Columbia ...	19
215	R. G.	do.....	do.....	do.....	16
216	J. S.	do.....	do.....	Virginia	16
217	L. F.	July 1, 1861	White man	New York	21
218	J. E.	July 2, 1861	do.....	Ireland	23
219	M. B.	do.....	Black woman	District of Columbia ...	35
220	C. R.	July 6, 1861	White man	Pennsylvania	26
221	W. M.	July 8, 1861	Black man	District of Columbia ...	19
222	J. P.	do.....	White man	Indiana	41
223	A. S.	do.....	do.....	Pennsylvania	25
224	J. B.	do.....	do.....	New York	28
225	J. D. S.	do.....	do.....	Switzerland	27
226	S. J.	do.....	Black man	New York	22
227	A. P.	July 10, 1861	do.....	District of Columbia ...	21
228	R. B.	July 13, 1861	White man	New York	24
229	G. R.	July 15, 1861	do.....	Pennsylvania	29
230	G. H.	July 16, 1861	do.....	New York	49
231	D. MoC	July 19, 1861	do.....	Pennsylvania	22
232	H. B.	July 20, 1861	do.....	Ireland	29
233	J. R.	July 25, 1861	do.....	New York	21
234	J. H. M.	Aug. 24, 1861	do.....	District of Columbia ...	22
235	J. C.	Sept. 10, 1861	do.....	Ireland	23
236	W. A. N.	Mar. 13, 1861	do.....	Virginia	28

—Continued.

Where convicted.	No. of convictions.	Crime.	Terms of sentence.	Employment.	When discharged.
Washington, D.C.	1	Burglary	3	Broom-maker ..	Escaped July 30, 1861.
do.	1	Larceny	1	do.	.....
do.	1	Burglary	5	Carpenter .....	.....
Virginia	1	Robbing U. S. mail.	1	Laborer .....	.....
Washington, D.C.	1	Forging	2	Druggist .....	.....
Florida	1	Revolt on high seas.	1½	Broom-maker ..	.....
do.	1	do.	1½	Cook .....	.....
do.	1	do.	1½	do.	.....
do.	1	do.	1½	Broom-maker ..	.....
Washington, D.C.	1	Larceny	1½	Shoemaker .....	.....
do.	2	do.	1	do.	.....
do.	1	Arson	5	do.	.....
do.	2	Larceny	1½	Broom-maker ..	.....
do.	1	do.	1	Shoemaker .....	.....
do.	1	do.	1	do.	.....
do.	1	Arson	5	Laborer	Escaped April 30, 1861.
do.	1	Larceny	2	Shoemaker .....	.....
do.	1	do.	2	do.	.....
do.	1	False pretences.	1½	Tailor .....	.....
do.	1	Murder	21	Shoemaker .....	.....
do.	2	Larceny	1	Washerwoman ..	.....
do.	1	do.	1½	Shoemaker .....	.....
do.	1	Assault and battery, with intent to commit rape.	1	do.	.....
do.	1	Larceny	1½	do.	.....
do.	1	do.	1½	do.	.....
do.	1	do.	1½	do.	.....
do.	1	do.	2	do.	.....
do.	1	Burglary	3	do.	.....
do.	2	Assault and battery, with intent to kill.	3	Washerwoman ..	.....
do.	1	Horse stealing	2	Barber .....	.....
do.	1	Larceny	2	Shoemaker .....	.....
Kansas	1	Counterfeiting U.S. coin.	1	do.	.....
do.	1	do.	1½	do.	.....
do.	1	do.	3	do.	.....
do.	1	do.	3	do.	.....
Washington, D.C.	1	Larceny	2	do.	.....
do.	1	do.	1	do.	.....
do.	1	do.	2	do.	.....
do.	1	do.	2	do.	.....
do.	1	do.	1	Cooper .....	.....
do.	1	Arson	2	Shoemaker .....	.....
do.	1	Larceny	1½	do.	.....
do.	1	do.	3	do.	.....
do.	1	Manslaughter	8	do.	Pardoned September 10, 1861.
Florida	1	Insubordination and assault, with intent to kill ..	10	do.	.....
Virginia	1	Robbing U. S. mail	10	do.	.....

JOURNAL OF CONVICTS—Continued.

RECAPITULATION.

Number of prisoners in the penitentiary October 1, 1860.....	163	
Number of prisoners received during the year.....	73	
		236
Number discharged by expiration of sentence	61	
Number pardoned	13	
Number escaped.....	4	
	78	
Number of prisoners in the penitentiary September 30, 1861.....	158	
		236
Number of white men	96	
Do.... black men	54	
Do.... white women.....	2	
Do.... black women.....	6	
		158
Number of shoemakers	95	
Do.... broom-makers	25	
Do.... tailors	7	
Do.... carpenters.....	2	
Do.... blacksmiths	1	
Do.... cooks	3	
Do.... bakers	2	
Do.... invalids	1	
Do.... laborers.....	6	
Do.... coopers	1	
Do.... masons	2	
Do.... whitewashers.....	2	
Do.... messengers	2	
Do.... dining-hall servants.....	2	
Do.... washerwomen	7	
Do.... mending women	1	
		158
Number of convicts born in District of Columbia.....	37	
Do.....do..... Virginia	24	
Do.....do..... Ireland	23	
Do.....do..... Maryland.....	20	
Do.....do..... New York	12	
Do.....do..... Germany	8	
Do.....do..... Pennsylvania.....	6	
Do.....do..... England	3	
Do.....do..... France	3	
Do.....do..... Indiana	2	
Do.....do..... Switzerland	2	
Do.....do..... Georgia	1	
Do.....do..... Ohio	1	
Do.....do..... Illinois	1	
Do.....do..... Connecticut	1	
Do.....do..... Massachusetts.....	1	
Do.....do..... Missouri	1	

JOURNAL OF CONVICTS—Continued.

RECAPITULATION—Continued.

Number of convicts born in Vermont.....	1
Do.....do.....Rhode Island.....	1
Do.....do.....Canada.....	1
Do.....do.....Mexico.....	1
Do.....do.....Prussia.....	1
Do.....do.....Bavaria.....	1
Do.....do.....Saxony.....	1
Do.....do.....Jamaica.....	1
Do.....do.....Bermuda.....	1
Do.....do.....Nova Scotia.....	1
Do.....do.....West Indies.....	1
Do.....do.....At sea.....	1

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ANNUAL REPORT OF THE SUPERINTENDENT OF THE BUILDING AND OTHER IMPROVEMENTS CONSTITUTING THE GOVERNMENT HOSPITAL FOR THE INSANE.

GOVERNMENT HOSPITAL FOR THE INSANE,

October 1, 1861.

SIR: At the second session of the last Congress eight thousand dollars (\$8,000) were appropriated "for (1) repairs and painting of four western or first erected sections of the hospital edifice, including additions to the furniture, and also of the gardener's and farmer's houses and the out-buildings and fences thereof; (2) for ice-house, including preserving cellar; (3) for extension of stable for the storage of hay and other fodder, and shelter of farm wagons and carts; (4) enclosing two sides of farm-yard with brick wall; (5) improvement of the grounds; (6) forcing and green house, including heating apparatus; and (7) for fitting up two bowling alleys, one in the basement of each wing.

During the spring and summer, the 1st, 3d, 4th, and 5th improvements provided for have been in progress and are now completed, or carried as far as the appropriation contemplated; and the preservation, durability, beauty, productiveness, and convenience which, each in its place, are the result, fully justify the outlay.

• The stables and stable-yards are now complete, and are believed to be models in durability of construction, capacity in proportion to their cost, and in conveniences for the proper care of every domestic animal and bird.

The changes in the appearance of the grounds are most striking, though much has yet to be accomplished before full justice is done either to their extraordinary susceptibility of ornamental and useful improvements or to benevolent objects of the institution. The brick kilns and lumber piles of eight years standing have been removed from the front of the hospital edifice; the grounds have, for the most part, been brought to a proper grade; some progress has been made in gravelling the walks and drives; a thousand trees have been planted and twenty-five acres have been fertilized, subsoiled, or underdrained, and sown with grass seed; and besides fine crops of grain earlier in the season, we are this autumn rewarded with a rich green landscape, which is grateful to the dullest sense in our whole household.

The ice-house will be built by the arrival of the winter solstice; the bowling alleys will afford employment in their construction, and amusement in their use in mid-winter when out-door labor or amusement is impracticable; and the forcing-house will be in readiness to anticipate the "annual miracle of nature" in the early spring.

For the year ending June 30, 1863, the following estimates are respectfully submitted:

1. For finishing, furnishing, heating, and lighting additional accommodations in the east wing, rendered necessary by the sudden increase of the insane of the army and navy by the war, \$5,000.

2. For further improvements of the grounds about the hospital and of the farm, \$2,000.

3. For continuing the stone and brick wall already forming the exterior of the boundary of the hospital grounds for a distance of 241.77 rods, in pursuance of the design of eventually enclosing the whole tract in the same way, \$10,000.

4. For changing the location and grade of the public road leading past the hospital gate towards the city for a distance of about 150 rods, and building a substantial stone bridge over *Stickfoot branch*, \$4,000.

The first estimate will barely meet wants that are pressing even to-day.

The second item will complete, or nearly so, a class of improvements which are now well under way, and should be prosecuted with diligence, inasmuch as time and nature are the indispensable agencies of the maturity both of the field and the landscape.

The third and fourth items were suggested in my last report, and recommended by your predecessor. The chairman of the House Committee on the District of Columbia examined the proposed improvement of the road, and expressed himself strongly in favor of its execution; and many other members of Congress—all, I think, to whom the enterprise was explained—also favored it, but, in consequence of the extreme poverty of the treasury, to which, for some time after Congress assembled, the members looked in vain for their own salaries, no appropriation was made for either of these objects.

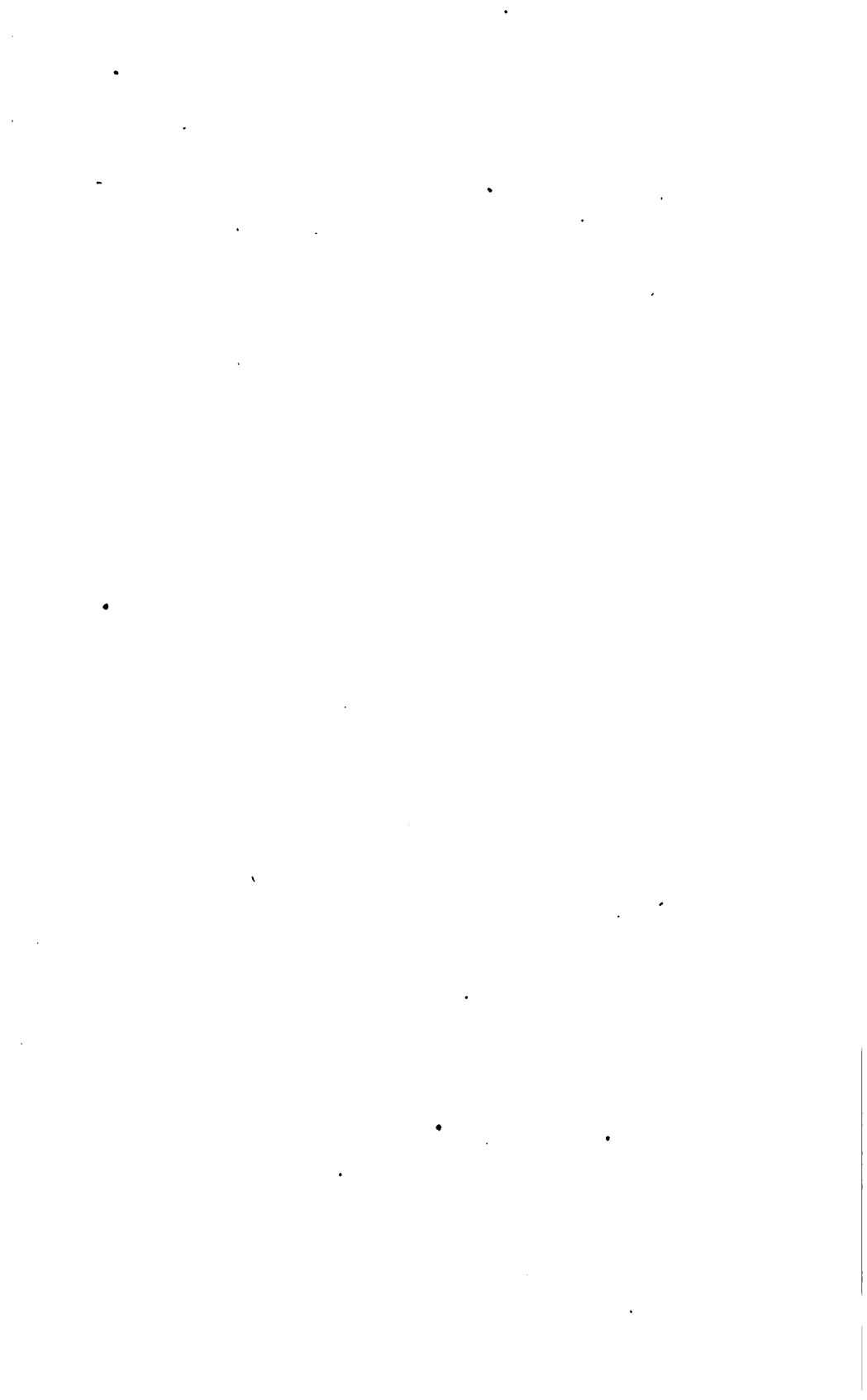
As a repetition of the reasons which led me last year to recommend the continuation of the wall and the improvement of the road would occasion unnecessary printing, I beg leave to refer you to the last paragraph on page 17, and through pages 18 and 19 of the edition of my last annual report, printed for the use of the hospital, (a copy of which is enclosed herewith,) which is accompanied by maps calculated to illustrate the text cited. The views there expressed have been not only confirmed by another year's experience, but there has since been added to the reasons then expressed in favor of the improvement of the road the important one, that the highway from the navy yard bridge, past Alexandria, Virginia, and towards Piscataway and Port Tobacco, Maryland, has become a military thoroughfare and a line of fortifications.

It is sincerely believed that had the \$4,000 asked last year been expended early in the spring, as at first proposed, the saving before the end of this calendar year in the less number and less wear and tear and depreciation of horses and wagons necessary for the transportation of troops, supplies, cannon, and other munitions of war up to the wretched tortuous hill road, by which the ascent to this table land is gained, would have fully equalled the cost of the improvement.

I am, sir, very respectfully, your obedient servant,

C. H. NICHOLS,
Superintendent.

HON. CALEB B. SMITH,
Secretary of the Interior.



REPORT

OF

THE BOARD OF VISITORS

OF THE

GOVERNMENT HOSPITAL FOR THE INSANE FOR 1860-'61.

GOVERNMENT HOSPITAL FOR THE INSANE.

Officers of the Institution.

VISITORS.

1. Rev. P. D. GURLEY, D. D., *President of the Board.*
2. BENJAMIN S. BOHRER, M. D.
3. JACOB GIDEON, Esq.
4. WILLIAM WHELAN, M. D., U. S. N.
5. ROBERT C. WOOD, M. D., U. S. A.
6. JOHN B. BLAKE, M. D.
7. RICHARD WALLACH, Esq.
8. HENRY ADDISON, Esq.
- 9.

MEDICAL OFFICERS.

C. H. NICHOLS, A. M., M. D., *Superintendent and ex officio secretary of the Board.*

BELA N. STEVENS, A. M., M. D., *Assistant Physician.*

GOVERNMENT HOSPITAL FOR THE INSANE,

October 1, 1861.

SIR: In compliance with the second section of the act of March 3, 1855, organizing this institution, we have the honor to lay before you our sixth annual report.

The number of patients in the house on the 30th of June, 1860, was :

From the army, white males.....	24	
From the navy, white males.....	17	
Colored males.....	1	
	—	18
From the revenue service, white males.....	1	
	—	43
From civil life, white males.....	55	
From civil life, white females.....	49	
	—	104
From civil life, colored males.....	4	
From civil life, colored females.....	12	
	—	16
	—	120
From the Soldiers' Home, white males.....		4
		—
Males, 106; females, 61. Total.....		167
		==

The number of admissions during the year ending June 30, 1861, was :

From the the army, white males.....	24	
From the navy, white males.....	6	
	—	30
From civil life, white males.....	27	
From civil life, white females.....	23	
	—	50
From civil life, colored males.....	5	
From civil life, colored females.....	8	
	—	13
	—	63
From the Soldiers' Home, white males.....		2
		—
Males, 64 ; females, 31. Total.....		95
		==

The number of patients in the course of the year 1860-'61 was :

From the army, white males.....	48	
From the navy, white males.....	23	
From the navy, colored males.....	1	
	—	24
From the revenue service, white males.....		1
		— 73
From civil life, white males.....	82	
From civil life, white females.....	72	
	—	154
From civil life, colored males.....	9	
From civil life, colored females.....	20	
	—	29
	—	183
From the Soldiers' Home, white males.....		6
		—
Males, 170 ; females, 92. Total.....		262
		==

There was no discharge and re-admission in the course of the year, which renders the number of persons and cases equal.

The number of patients discharged in the course of the year was :

Recovered, from the army, white males.....	19	
Recovered, from the navy, white males.....	10	
	—	29
Recovered, from civil life, white males.....	7	
Recovered, from civil life, white females.....	8	
	—	15
Recovered, from civil life, colored males.....		4
	—	19
	—	48
Improved, from the army, white males.....	1	
Improved, from the navy, white males.....	1	
	—	2

Improved, from civil life, white males.....	8		
Improved, from civil life, white females.....	4		
	—	12	
Improved, from civil life, colored females.....		1	
		—	13
			— 15
Died, from the army, white males.....	3		
Died, from the navy, white males.....	2		
	—		5
Died, from civil life, white males.....	5		
Died, from civil life, white females.....	4		
	—	9	
Died, from civil life, colored females.....		3	
		—	12
Died, from the Soldiers' Home, white males.....		2	
		—	19
			—
Males, 62; females, 20. Total discharged.....			82
			==

The recoveries were 50 per cent. of the admissions, and 57 per cent. of the discharges, including deaths.

The number of patients in the house on the 30th of June, 1861, was :			
From the army, white males.....			25
From the navy, white males.....	10		
Colored males.....	1		
	—	11	
From the revenue service, white males.....		1	
		—	37
From civil life, white males.....	62		
From civil life, white females.....	56		
	—	118	
From civil life, colored males.....	5		
From civil life, colored females.....	16		
	—	21	
		—	139
From the Soldiers' Home, white males.....			4
			—
Males, 108; females, 72. Total.....			180
			==

The following table affords an approximate expression of the mental and physical condition and the duration of the disease at the time of death of those who died in the course of the year:

Physical condition.	No. of cases.	Mental condition.	No. of cases.	Duration of mental disease.	No. of cases.
Chronic, organic, and functional degeneration of the brain, irregular in character and extent.....	7	Maniacal delirium.....	2	10 days.....	1
Ditto, with phthisis.....	4	Chronic mania.....	2	1 month.....	1
Ditto, with epilepsy.....	3	Chronic melancholia.....	2	6 months.....	1
Ditto, with <i>paralysis generale</i>	1	Acute dementia.....	1	3 years.....	2
Ditto, with serous apoplexy.....	1	Chronic dementia.....	12	4 years.....	1
Chronic mania.....	1	Total.....	19	5 years.....	3
Maniacal delirium.....	2			8 years.....	4
Total.....	19			10 years.....	2
				13 years.....	1
				20 years.....	1
				25 years.....	1
				50 years.....	1
				Total.....	19

• The average duration of the mental disease at the time of death was 9.74 years.

No patient died in the course of the year who was at all likely to be restored to reason. The two cases recorded as maniacal delirium were at the time of admission in the very last stages, one of phthisis and the other of pneumonia, and the propriety of hurrying forward their exhaustion by a journey to a hospital for the insane was at least doubtful. One lived thirty-six hours and the other twenty-two days after admission.

The mortality of the year was a little rising 7 per cent. of the whole number of cases treated, and a little more than 23 per cent. of the discharges, including deaths, which is a slight reduction of the ratios of last year.

The physical conditions in which the deaths took place, if correctly appreciated and faithfully stated, show that there was no fatal endemic disorder nor casualty among the patients in the course of the year, and indicate the fact that the general health of the household of the hospital was, as usual, uniformly excellent. A regular annual mention of the healthiness of the hospital seems trite and unnecessary, but we can scarcely be too frequent or grateful in our commemoration of the union of unsurpassed beauty, salubrity, and topographical adaptation in the site of our national institution for the insane.

The vital statistician will bear in mind that this institution rejects no physical malady if it be complicated with any form of mental alienation, and that, excepting the cases of a small proportion of independent or pay patients, nearly all discharges take place either by recovery or death.

We next present an approximate estimate of the length of time the persons received in the course of the year had been affected with mental disease at the time of admission.

Three months, from the army, white males.....	5
Three months, from the navy, white males.....	2
Three months, from civil life, white males.....	12
Three months, from civil life, white females.....	7
Three months, from civil life, colored males.....	2
Three months, from civil life, colored females.....	3

Six months, from the army, white males	12	
Six months, from the navy, white males	3	
Six months, from civil life, white males	4	
Six months, from civil life, white females	3	
Six months, from civil life, colored males	1	
Six months, from civil life, colored females	1	
	—	24
One year, from the army, white males	6	
One year, from civil life, white males	2	
One year, from civil life, white females	2	
One year, from civil life, colored males	1	
One year, from civil life, colored females	1	
	—	12
Two years, from the navy, white males	1	
Two years, from civil life, white males	3	
Two years, from civil life, white females	4	
	—	8
Three years, from civil life, white males	4	
Three years, from civil life, white females	1	
Three years, from civil life, colored females	1	
	—	6
Four years, from the army, white males	1	
Five years, from civil life, white males	1	
Eight years, from civil life, white males	1	
Eight years, from civil life, white females	1	
Eight years, from civil life, colored males	1	
	—	3
Ten years, from civil life, white males	1	
Ten years, from civil life, white females	1	
Ten years, from civil life, colored females	2	
	—	4
Fifteen years, from civil life, white males	1	
Fifteen years, from civil life, white females	4	
	—	5
		95
		==

The average duration of the insanity in the cases admitted this year was 2.25 years, which exceeds the average of last year by about one-half of a year. The proportion of recent cases to the whole number received was, however, about the same as last year.

Of the 439 persons treated since the opening of the institution the next table is an approximate estimate of the time of life when they first became insane.

Under 10 years	12	Between 45 and 50 years	25
Between 10 and 15 years	6	Between 50 and 60 years	18
Between 15 and 20 years	24	Between 60 and 70 years	13
Between 20 and 25 years	74	Between 70 and 80 years	10
Between 25 and 30 years	100	Unknown	13
Between 30 and 35 years	66		
Between 35 and 40 years	53	Total	439
Between 40 and 45 years	25		==

The following table shows their nativity :

NATIVE BORN.		FOREIGN BORN.	
District of Columbia.....	108	Ireland.....	96
Maryland.....	54	Germany.....	36
Virginia.....	44	England.....	9
Pennsylvania.....	14	France.....	7
New York.....	13	Scotland.....	5
Massachusetts.....	6	Spain.....	2
Ohio.....	4	Sweden.....	2
Maine.....	3	Prussia.....	2
Vermont.....	2	Poland.....	2
Tennessee.....	2	Canada.....	1
Georgia.....	1	Austria.....	1
Connecticut.....	1	Buenos Ayres.....	1
Wisconsin.....	1	Costa Rica.....	1
Kentucky.....	1	Nova Scotia.....	1
North Carolina.....	1	Italy.....	1
Choctaw Nation.....	1	Switzerland.....	1
New Jersey.....	1	Sicily.....	1
Missouri.....	1		— 169
Alabama.....	1	Unknown.....	9
New Hampshire.....	1		—
Mississippi.....	1	Number of persons treated.	439
	— 261		—

The form of mental disease under which the patients, received since the opening of the house, labored at the time of admission, is next shown.

All cases of not more than one year's standing are classed as acute ; all others as chronic.

Mania.

Acute, simple.....	141
Acute, epileptic.....	2
Acute, paralytic.....	2
Acute, homicidal.....	2
Acute, hysterical.....	2
Acute, puerperal.....	3
Acute, suicidal.....	1
	— 153
Chronic, simple.....	58
Chronic, epileptic.....	2
Chronic, paralytic.....	2
Chronic, puerperal.....	4
Chronic, periodical.....	3
	— 69
	— 222

Monomania.

Acute, simple.....	3
Chronic, simple.....	13
	— 16

Melancholia.

Acute, simple.....	28
Chronic, simple.....	24
	52

Dementia.

Acute, simple.....	14
Acute, epileptic.....	1
Acute, paralytic.....	1
	16
Chronic, simple.....	112
Chronic, general paralysis.....	1
Chronic, epileptic.....	23
Chronic, paralytic.....	9
Chronic, senile.....	6
	151
	167
Total.....	457
Number of re-admissions.....	19
Number of persons treated, (see table of nativity).....	439

INDEPENDENT OR PAY PATIENTS.

At the beginning of the year, males 12, females 4.....	16
Received during the year, males 15, females 4.....	19
Males, 27; females, 8. Total.....	35
Discharged during the year, males 9, females 3.....	12
Remaining at the end of the year, males 18, females 5.....	23
Public patients at the end of the year, from the army.....	25
Public patients at the end of the year, from the navy.....	11
Public patients at the end of the year, from the revenue service.....	1
Public patients at the end of the year, from civil life.....	120
	157
Total.....	180

Classified abstract of the receipts and expenditures of the hospital during the year ending June 30, 1861.

RECEIPTS.

Received balance from last year.....	\$79 33
Received from treasury of the United States.....	30,500 00
Received from sundry private patients.....	6,345 17
Received from work done by hospital hands, horses, carts, and drivers, on the erection of the hospital edifice, and other improvements.....	2,891 00
	39,815 55

EXPENDITURES.

Salaries and wages.....	\$12,717 13
Flour.....	3,694 85
Meats, \$3,442 28; beeves, \$1,343 05.....	4,785 33
Butter.....	2,549 87
Groceries (including ice).....	5,432 20
Fish.....	65 13
Potatoes.....	685 77
Fuel, lamp-oil, candles, &c.....	2,412 85
Dry goods.....	1,056 62
Furniture, (including glass, china, and hardware,).....	328 80
Medicines (including liquors).....	216 10
Boots, shoes, hats, and clothing ordered.....	291 75
Farming implements, seeds, manure, &c.,.....	588 26
Hay, oats, meal, straw, &c., for feed.....	1,340 60
Horse shoeing.....	53 50
Repairs and improvements.....	795 65
Stock horses, \$300; oxen and yokes, \$360; fowls, \$20.....	680 00
Repairs to wagons, carriages, and harness.....	200 61
Postage.....	41 27
Money returned to private patients.....	282 69
Printing.....	13 00
Freights.....	106 98
Fishing boat and seine.....	200 00
Amusements, including \$337 39 for philosophical apparatus.....	337 39
Surveys and drawings for annual report.....	207 75
Eloped patients.....	16 30
Miscellaneous.....	251 66
Balance due the United States from the superintendent.....	463 49
	39,815 55

In proposing sums to be asked for the maintenance of the hospital, the sudden and considerable increase of the number of admissions, especially from the army and navy, since the beginning of the current fiscal year, must be taken into account. The number admitted during the past three months is just four-fifths of the whole number received during the preceding twelve months; and should the rate of admissions continue the same throughout the following nine months, (and it cannot be expected to be less,) we shall have under care, in the course of the year, ninety-six army and navy patients, or say sixty-six more than was anticipated when the close estimates for the support of the hospital during the year 1861-'62 were submitted.

The profound political agitations and alarms, and the domestic dissensions and ruptures, which are doubly incident to a national capital and a border region in a time of civil war, must likewise render the number of the indigent insane of the District of Columbia larger than was anticipated at the time of preparing our last annual statement of the condition, prospects, and wants of the institution.

It is clear, then, that the number of the insane which will demand relief in this hospital at its expense during the current fiscal year will be greater than can be properly maintained by the means at the command of the institution, and we respectfully suggest that Congress be asked to meet this demand by inserting \$5,000 in the deficiency bill, which usually passes soon after the opening of the session.

For the support of the hospital during the year ending June 30, 1863, we recommend that \$40,500 be asked, which is only the amount of the sum appropriated and the additional sum asked for the current year.

The army has suddenly been increased more than three hundred fold, and the navy trebled. A large proportion of the land forces are men of no little moral and nervous susceptibility, quickly transferred from the quietude, comforts and sympathies of home to all the hardships and profound excitements of the camp and field. It would not, therefore, be difficult to offer a plausible demonstration of the probability that the army and navy alone are likely, for the next year or two, to furnish a full complement of occupants for all our wards, but we are content, at a time when the demands upon the resources of the republic are so extraordinary, to base our estimate upon actual experience since the war begun, not doubting that a future Congress will hasten to make good any deficiency of means needed for the care of citizen soldiers whose reason has given way in the service of their country.

Besides promptly receiving the insane of the volunteer force, for whose support no appropriation had been made, the officers of the institution, with your ready consent and approval, three months ago put both sexes of the colored insane into one of the cottages erected for their accommodation, and placed the other at the disposal of the chief of the bureau of medicine and surgery of the navy, who has thereby been able to furnish exceedingly comfortable hospital accommodations, otherwise not readily at his command, to the sick and wounded seamen of the Chesapeake and Potomac fleets, amounting at one time to as many as fifty persons, and within a few days a couple of the wards of the main building have been set apart and prepared for the reception of sick and wounded soldiers.

The bestowal of these extraordinary benefits imposes many extraordinary cares upon the officers of the institution, but they assume them with cheerfulness, deeming it the plain duty of every citizen to sustain, by labor and sacrifice, his government, when threatened with wanton, parricidal destruction.

Respectfully submitted by

P. D. GURLEY, *President.*
C. H. NICHOLS, *Secretary.*

Hon. CALEB B. SMITH,
Secretary of the Interior.

REPORT

OF

THE BOARD OF DIRECTORS

OF

The Institution for the Instruction of the Deaf and Dumb and the Blind.

WASHINGTON, November 5, 1861.

SIR: In compliance with the acts of Congress incorporating and providing for the support of this institution, I have the honor to report its operations for the year ending on the first day of July last.

For detailed information touching the immediate management of the institution and the progress of the pupils, I beg leave to refer to the report of the Superintendent, hereto annexed, marked A., and the report of the examining committee, marked B.

The treasurer's report, marked C., shows the sources of income and the receipts for the last year, viz:

From private subscriptions.....	\$400 00
From the United States, per act of Congress of the 16th February, 1857, for maintenance and tuition of indigent pupils..	3,425 94
From the same, under the act of May 29, 1858, for salaries and incidental expenses.....	3,000 00
From the State of Maryland, for the support and tuition of indigent pupils.....	1,034 25
From paying pupils.....	266 00
Total receipts.....	8,126 19

The same report shows that the whole amount received has been drawn from the treasury upon the drafts of the president, and (in his absence) the secretary in favor of the superintendent.

The superintendent's account, attached to his report, marked 1, shows for what objects the moneys drawn by him have been expended, and the balance on hand, amounting to \$128 28.

Treasurer's report, marked C., shows the receipts of the institution from the fund derived from "Washington's Manual Labor School and Male Orphan Society," applicable to the promotion of manual labor by the deaf and dumb and the blind, amounting to \$623 48. As the institution has not the buildings in which it can teach mechanical trades, nor the grounds on which it can teach horticulture and agriculture, it is proposed to invest the moneys derived from this fund until these deficiencies can be supplied.

During the year past eight pupils have been admitted into the institution and three have left, leaving the number on the 1st day of July last thirty-five, and showing an increase of five during the year. Their names and residences are given in paper marked 2, annexed to the superintendent's report.

Since June 30 there have been three admissions into the institution and one dismissal, so that the entire number under instruction is now thirty-seven.

At the end of the first year of its existence, July, 1858, the number of pupils in this institution was *seventeen*; at the end of the second year, *twenty*; at the end of the third year, *thirty*; and at the end of the fourth year, *thirty-five*; with the addition of two since and a prospect of further increase.

It thus appears that the troubles of the country have as yet had no sensible effect on the progress of this benevolent institution, and it is devoutly hoped that its claims may not be forgotten amidst the excitements of war and the clash of arms.

I cannot refrain from inviting special attention to the specimens of composition by some of the older pupils attached to the report of the examining committee. There is a beauty about them seldom, if ever, equalled by children of the same ages with all their senses, after many more years of faithful instruction. They constitute the highest testimonial to the fidelity of our superintendent and teachers.

But it is sad to reflect that, although the institution can do so much to improve the minds of its pupils, it can do so little on account of want of shops and ground to accustom the boys to manual labor, and fit them for earning a living when they leave the institution. Cannot the government even now devote a few thousand dollars to this object?

I ought not to close without paying a just tribute to our superintendent. To his judgment and skill in the selection of teachers, the discipline of the pupils and general management, the institution is mainly indebted for the high rank it has already attained among the benevolent institutions of this and other lands.

To the Rev. Dr. Samson and J. P. Ingle, esq., our thanks are due for their laborious and searching examination of the pupils of the institution at the end of the last summer term.

The regulations of the institution are hereto appended, marked D.

By order of the Board of Directors,

AMOS KENDALL,
President.

HON. CALLEB B. SMITH,
Secretary of the Interior.

Officers of the Institution.

Patron.—ABRAHAM LINCOLN, *President of the United States.*

President.—HON. AMOS KENDALL.

Secretary.—WILLIAM STICKNEY.

Treasurer.—GEORGE W. RIGGS, JR.

Directors.—WILLIAM H. EDES, JAMES C. MCGUIRE, JUDSON MITCHELL, DAVID A. HALL, REV. BYRON SUNDERLAND, D. D.

Superintendent.—EDWARD M. GALLAUDET, M. A.

Instructors of the Deaf and Dumb.—JAMES DENISON, P. B., MELVILLE BAL-LARD, PETER BAUMGRAS.

Instructress of the Blind.—MISS MARY T. G. GORDON.

Attending Physician.—N. S. LINCOLN, M. D.

Matron.—MRS. THOMAS H. GALLAUDET.

Assistant Matron.—MRS. SOPHIA G. HUNTER.



A.

REPORT OF THE SUPERINTENDENT.

To the president and directors of the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind.

GENTLEMEN: Since the date of my last annual report to you, the periods of instruction and vacation have succeeded each other, as directed in your regulations; and although at one time apprehensions were entertained that the difficulties of the country might compel us to suspend our operations, and scatter our pupils, a kind Providence interposed in our behalf, and we are still permitted to pursue our peaceful avocations, with none to molest or make us afraid.

The admissions to the institution during the year ending June 30, 1861, were eight; three pupils left us, and the number enrolled at the close of the year was thirty-five. Since June 30 three children have been admitted and one dismissed. The number of pupils connected with the institution since the date of my last report is forty-one.

Deaf mutes, males, 19; females, 16—total 35. Blind, males, 3; females, 3—total 6.

During the greater portion of the year the health of the pupils has been good. But in the months of January and February diseases of the throat and lungs prevailed to a considerable extent. Three severe cases of pneumonia, two of pleurisy, and ten of catarrhal fever were under treatment at one time. Fortunately no case terminated fatally, and in a few weeks all were apparently restored to perfect health.

The respective classes have made satisfactory advance in their various studies, and were examined at the close of the year by the committee appointed by you for that purpose.

I would call your attention to the fact that the specimens of composition appended to the report of the examiners were, in every instance, written by those who were either born deaf or became so before acquiring the least knowledge of language. I make special mention of this because I have observed in some reports of examination of deaf mutes very beautifully written exercises, purporting to have been prepared by pupils who had been deaf from infancy; whereas, in fact, the writers had gained a more or less complete knowledge of language before losing their hearing.

To publish these fluent essays without a word of explanation as to the character of their authors is eminently unjust both to those whose acquirement of language has been wholly by laborious study, and to those who have so patiently led them through the labyrinthine mazes of our vernacular.

The corps of instructors has recently been increased by the addition of a teacher of drawing and the arts of design. Mr. Peter Baumgras, of Washington, an accomplished artist, has been engaged to fill this position, and many of the pupils placed under his tuition already show decided talent. Deaf mutes have in numerous instances attained distinction as artists, designers, and engravers; and it is believed that the addition of the branch referred to will prove of lasting advantage to those whose natural ability may enable them to profit by the instructions thus afforded.

Improvements to the amount of about six hundred dollars have been made on the property of the institution within the year, including a convenient laundry and an additional school-room. The buildings are in good repair, but it is vital to the continued prosperity of the institution that enlarged accommodations be provided. Every available foot of room is now occupied in dormitory, school-room, and dining hall; and yet there is reason to expect that in the year now

current as many applications for admission will be received as in the year just past.

In the history of every well-conducted institution there is a larger annual increase of numbers during the first ten years than in any subsequent decade. The reason of this will be apparent, when it is considered that but few leave an institution till after the seventh or eighth year of its existence. Then those that first entered usually complete their education. In every year thereafter the number admitted is about counterbalanced by those dismissed, and the maximum number only experiences an increase proportionate to the gradual growth of population in the State or district for whose benefit the institution is sustained.

In view of these facts, and when it is borne in mind that in the past two years our numbers have increased from twenty-one to forty-one, and that but few of those now with us will leave within four years to come, the demand is, indeed, pressing for a further enlargement of buildings.

The past season the male mutes have been employed, as far as possible, in horticulture, and though our grounds are small the yield from the garden has been considerable. For the summer months our table was almost entirely supplied with vegetables from this source, and a good crop of hay was secured from the lawn. Much larger grounds might be cultivated by our boys, and the occupation would be of great advantage to them.

The necessity of introducing a mechanical department into our course of instruction grows more and more pressing each month, and it is to be hoped that some way may be devised during the coming year to meet this want.

All which is respectfully submitted.

EDWARD M. GALLAUDET, *Superintendent.*

WASHINGTON, October 9, 1861.

B.

REPORT OF THE EXAMINING COMMITTEE.

To the president and directors of the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind.

GENTLEMEN: The undersigned, members of the examining committee, appointed by your authority, have attended to the duty assigned them in visiting the institution on the day of its second annual examination, July 2, 1861.

The whole number of *deaf mutes* in the institution during the year has been thirty-one, of whom eighteen are males and thirteen females; a considerable portion of these are youth.

The *second*, or youngest class, numbering seventeen pupils, consists of those who have been but one year, or less, in the institution. Their teacher is Mr. Melville Ballard, a graduate of the higher class in the Hartford Institution, and for two years a teacher in that institution, prior to his employment one year ago by the trustees of the Columbia Institution. The instruction of this class by him has been principally in reading and writing, with the employment, as a text book, of Dr. Peet's Elementary Lessons. The examination of the class was chiefly in the writing of sentences or paragraphs, which should contain a word or treat upon a subject given them by their instructor, or should present their own impressions on any theme of their own choosing. The design of this exercise was to test their practical knowledge of the meaning and use of words, and of the force and connexion of sentences in consecutive discourse.

The committee were gratified at the manifest proofs of the faithful and persevering toil of their instructor in the most difficult task of giving to the mind of the deaf mute its first impressions as to the mode of receiving and conveying ideas.

The *first*, or advanced class, have been taught by Mr. James Detison, of whom handsome commendation was made at the former annual examination.

In this class there are fourteen pupils, consisting of two divisions; the first of which divisions comprises those pupils who have been under instruction four years, and the second those who have been thus engaged for three years. The studies of the year for the second division have been Mrs. Barbauld's Reading Lessons; arithmetic, through the subjects of addition and subtraction; Scripture lessons, and English composition and penmanship. The studies of the first division have been Lossing's History of the United States; arithmetic, through the subjects of multiplication and division; penmanship and English composition.

In the examinations upon these branches the committee were able to compare the progress of the pupils made during the last with that of the previous year. They were anew impressed with the tact and patience required in the teacher of deaf mutes, during the elementary education of his pupils, with the comparatively slow progress, so trying to the teacher, which the deaf mute makes until the period when he has gained the elementary principles of learning, and with the fact that while some deaf mutes acquire information much more rapidly than others, yet, as among pupils having all their faculties, patience in the teacher finally gives success with all.

The class of *blind* consists of six pupils, three males and three females. Some of this class have been under instruction four years, others only two years. Their teacher during the past year has been Miss Mary T. G. Gordon.

The studies of the year have been Parley's School History; Uncle Philip's Conversations on the History of Virginia completed; Howe's Geography; arithmetic, through the four rules of addition, subtraction, multiplication, and division; and vocal and instrumental music. The replies of the pupils to questions in history, and their ready use of the type slates in working out problems in arithmetic, indicated that principles rather than books had been their study; and the zest with which even the youngest engaged in the musical performances gave fresh proof of the value of this part of education to the blind.

The committee were able to compare the progress of the pupils in this department with that made last year, and they were gratified with the evidence that their new teacher possesses the qualities essential in her trying position.

The committee were, as last year, specially gratified with the neatness and order everywhere manifest in the school-room, the dining hall, and about the grounds and buildings. Made aware by their short experience of the difficulty with which the impulses of a deaf mute, without any training from parents who ordinarily cannot communicate in the sign language, can be curbed by a teacher, they feel it a duty and pleasure again to commend the mingled gentleness and firmness entering into the discipline of the institution—characteristics so eminently blended in the principal.

Your committee can but repeat the hope that, when the circumstances of the country may justify it, this noble beginning of the great enterprise, undertaken at first by the bounty of a single individual, may become not only an asylum for the few needy in the vicinity of Washington, but a resort for higher instruction of graduates from State institutions of kindred character. This high ideal having been before the minds of the trustees from the first, it is hoped that it may not be abandoned even during the present exigencies of the government.

Specimens of the proficiency of the pupils in composition, the practical communication of thought, are appended to this report as an index of their general progress.

All of which is respectfully submitted.

GEO. W. SAMSON,
JOHN P. INGLE,
Committee.

WASHINGTON, D. C., July 10, 1861.

ABOUT MY FATHER.

My father was a house painter. He came from Wales to Washington, and saw a lady, and talked with her. Finally the lady was married by my father, on Sunday. My father had property, and built a new house. In three years I was born in Washington, and grew, and loved my father. My father drew the pictures on paper, and gave them to me. I was very glad, and kept them in a drawer some days. I was foolish, and tore them to pieces, and put them in the stove. The paper was burned up. I saw the black paper in the stove, and took them from the stove. I did not mind it, but asked my father to draw another one.

But then my father was very sick. My mother took care of her husband, who died in a bed. I was very sorry, and wept to see my father dead in the room. My father had given the house to me. My father spoke to his wife about his son, and to take care of me. Some gentlemen went to the door, and opened it, and came in the room. They solemnly looked at my father. Then the people looked at his face. A man put it in a new coffin, and carried it in a hearse to the graveyard. They took it into tomb. My mother thought of her husband in the grave. She loved him, and remembered him. My father will be happy everlasting.

(J. W. Aged 18 years. Under instruction three and a half years.)

LLEWELYN.

Llewelyn was a great hunter. He heard of wolves that lived in the wilderness. He rode his horse. He called some large dogs to follow him through the wilderness. Llewelyn turned his head, and missed one of the dogs that lived in his castle. The dog was a stag-hound, that was very faithful. Llewelyn looked for a wolf in the wilderness, but did not find the wolf. At evening he returned, and his dogs went to his castle. He jumped from his horse. Then the stag-hound came out of his castle. He wagged his tail, and gazed at the face of Llewelyn. Llewelyn saw the bloody face of the stag-hound. He felt sure that the hound had been killing his baby. He immediately drew his sword and cut through the hound's neck. Soon the hound gazed at him, and kissed his feet. He fell down on the ground and died. Then Llewelyn saw the cradle that was thrown down on the floor of his castle. He took up the clothes, and saw his baby, that slept silently, and was covered with the clothes. He was very sorry for the hound. He knew that the hound was never deceitful, and he was fond of his hound. He took up the clothes again, and saw a large wolf on the floor. He knew that the hound had defended the baby. The hound had conquered and killed the wolf. Llewelyn's baby was saved from danger. He carried the hound and buried him in the ground. He honored him because the hound was brave and smart. He put a small obelisk over the grave of the hound. He never forgot the faithful animal.

(J. W. Aged 13. Under instruction four years.)

THE FRENCH HEROINE, JOAN OF ARC.

Joan of Arc was the daughter of poor peasants, and a servant at a small inn. She used to ride out on horseback, and worked hard.

She was a great patriot, and she frequently thought about her country, and wished it to be free, and independent of the English rule. When she was about thirteen years of age she had many dreams, and she fancied that she saw visions, and that the angels had appointed Joan of Arc the deliverer of her country. She, seeing the English continually desolate and oppress France, began to hate

the English oppressors very much, and wished to defend her country. When she got to be a woman she went to the king of France, and told him all her dreams, and asked him to give her a man's armor and a war-horse, to ride out and drive the enemies from France. The king was much pleased with Joan, and he gave her all she desired. Then Joan rode on horseback, holding a banner, and showed herself to the French army. She proclaimed that this banner was sent from Heaven.

She led the army to fight their enemies. When the English were told that the banner was sent from Heaven they were much alarmed, did not wish to fight any one that was sent from Heaven, and they fled. So, through this gallant heroine, the French drove the English nearly out of France. Soon Joan became the greatest and best commander of the French army, and this made some of the officers jealous of her, because she was a woman. They wished to get rid of her. So one day, when the army sallied out of the strong walled town with Joan, to give battle, they soon deserted her, and entered themselves into the town, and shut the gates so fast that the heroine could not get in. The English soon overtook Joan, and made her a prisoner.

She was tried, and accused of witchcraft, but she was firm and dignified. She was put in prison, and confined there for a considerable time, and afterwards she was condemned to be put to death. She was burned alive, and died a noble death, and a heroine in defence of her country. A fine statue was erected in memory of this remarkable woman, and yet stands in the same spot where she was burned to death in France.

(A. S. Aged 16. Under instruction four years.)

A STORY.

In the reign of Charles VI, of France, a gentleman had a good dog that was very fond of his master. One day he went through the forest near Paris with his dog. His enemy named Macaire hated the good gentleman. When he saw him in the forest he killed him, and put the dead body in a pit, then covered the earth upon it. Then he thought that nobody could find out his murder. But he made a mistake. God knew he had done wickedly, and the dog saw him kill his master. So Macaire went to Paris. The dog was sorry, and lay sadly on the grave all day. When he was hungry, he went to the house of a man in Paris who was a favorite of his master. The friend fed the dog, and then the dog went again to the dead body in the forest.

He lay upon it some days. The friend was surprised that the dog was very strange, for the dog often went and came to his house. So he wished to follow the dog and see what the dog was doing. He led the gentleman through the forest to the dead body in the ground and scraped the earth away, and the man saw the body of his dear friend in a pit. The dog loved the friend in the place of his master, but he hated Macaire and wished to attack him, for he knew that he had killed his master. The friend often saw the dog growling and trying to attack Macaire. He suspected that Macaire had killed his own favorite. He wished to have him tried. He told the king, Charles VI, what Macaire had done. Charles told Macaire if he fought and conquered the dog he would believe that he was innocent. Charles gave a stick and shield to Macaire, and a barrel for the dog to go in when he was tired. Macaire fought with the dog, while many people looked at them. Finally Macaire fell fainting and defeated by the good dog, and he confessed to the king that he had killed the dog's master.

(J.Q. Aged 15 years. Under instruction four years.)

THE HOLY BIBLE.

The Bible is the book in which God has revealed the truth to us and taught us all our duty, and is the most precious of all books in the world, because it teaches us the way of righteousness to heaven. The Bible is divided into the Old and New Testaments. The Old Testament contains an account of the creation of the world, the deluge, the moral laws on Mount Sinai, the law of Moses, the history of the Jews, and the prophecies. The New Testament contains an account of the life and death of Jesus Christ, his instructions, promises, and the lives and epistles of some of his disciples. The New Testament was written to teach us the way of salvation through Jesus Christ, and that he is the only Saviour. Many children have learned to love and serve him from the New Testament in the world, and follow his noble example of piety and benevolence.

How humble and affectionate Jesus was when he was on the world! and he lived not a proud and wealthy life, but a poor, humble, and interesting life! He left his glorious home, heaven, and lived on the earth and suffered much trouble. He came here not to choose the men who were very rich, or to become the most famous king of kings; but he came to save sinners, who would trust in him, from everlasting punishment in hell. At last he died on the cross. How infinitely kind and good Jesus is to us! How I wish I was among the children whom Jesus blessed while he was on the world! I know many children have gone to heaven to be with Jesus Christ, because they had learned to love and serve him on the earth. Now they are happy to be with him, God, and many holy angels in heaven, where they will live forever.

The people who read the Bible should follow his noble example, and try to live as gentle and pious and kind as he lived. No doubt there will be no one who can set as perfect an example as Jesus once did, because all mankind were born with sinful hearts.

Many good men wrote the Bible, as the Spirit of God inspired them at different times. Unless there was a Bible in the world, scarcely anybody would ever know of God and Jesus Christ, and they would be ignorant all their lives and would die miserably. But God is ever kind and merciful to all mankind. He sent the Bible to the world to let the people know him who is the almighty Lord and Creator. Now there are many thousands of pious disciples in the wide world, and there are also thousands of Bibles here. The Bible is the most interesting and instructive of all books.

(A. S. Aged 16 years. Under instruction four years.)

C.

The Columbia Institution for the Instruction of the Deaf and Dumb and Blind manual labor fund, in account with George W. Riggs, jr.,
treasurer.

D.R.

C.R.

July 10.	To balance	1860. Oct. 23	By cash	\$191 57
		Nov. 3	By Barr & Co's. note	266 38
		1861. Jan. 10	By Winchester and Potomac Railroad Company, coupon	7 00
		April 1	By corporation Alexandria, interest	9 00
		April 1	By proceeds coupons, City of Davenport	71 43
		April 2	By dividend Bank of Washington	33 60
		June 11	By proceeds coupons, City of Davenport	49 50
		July 8	By sale of one copy of Washington's accounts	5 00
		1861. July 10	By balance	623 48
				623 48

The Columbia Institution for the Instruction of the Deaf and Dumb and the Blind in account with George W. Riggs, jr., treasurer.

D.R.

C.R.

1861. July 10.	To cash advanced to E. M. Gallaudet, superin- tendent, on drafts of the president and sec- retary	1861. July 10.	By cash received from subscriptions	\$400 00
			By cash received from the United States for main- tenance and tuition of beneficiaries, per act of Congress February 16, 1857	3,425 94
			By cash received from the United States for salaries and incidental expenses, per act of Congress of May 29, 1868	3,000 00
			By cash from State of Maryland for support of bene- ficiaries	1,034 25
			By cash from paying pupils	266 00
				8,126 19

WASHINGTON, July 10, 1861.

E. & O. E.

GEO. W. RIGGS, Treasurer.

REPORT OF THE SECRETARY OF THE INTERIOR.

No. 1.—Superintendent's statement of receipts and expenditures for the fiscal year ending June 30, 1861.

[illegible]

E. M. GALLAUDET, Superintendent.

E. & O. E.

WASHINGTON, July 10, 1861.

No. 2.

Names and residence of pupils.

DEAF MUTES.

Nancy A. Batt, Georgetown, D. C.
 R. Allan Beedle, Washington, D. C.
 Julius Bissett, Sandy Hook, Maryland.
 William Blood, Washington county, D. C.
 John L. Brewer, Georgetown, D. C.
 Marietta Chambers, Fort McHenry, Maryland.
 Robert S. Collins, Georgetown, D. C.
 Florence L. Dammann, Baltimore, Maryland.
 John Fogerty, Washington, D. C.
 James Henry, Washington county, D. C.
 Charles A. Hughes, Washington, D. C.
 Hannah M. Hughes, Washington, D. C.
 Mary M. Ijams, Ijamsville, Maryland.
 Richard P. Ijams, Ijamsville, Maryland.
 Conrad Ingledeiger, Baltimore, Maryland.
 Annie Jenkins, Baltimore, Maryland.
 Andrew J. Lambdin, Baltimore, Maryland.
 Helena Linderer, Carrol county, Maryland.
 Joseph H. Linton, Baltimore, Maryland.
 Margaret Maher, Baltimore, Maryland.
 Amelia A. Masters, Washington, D. C.
 Mary B. Nailor, Washington, D. C.
 Virginia A. Patterson, Fort Delaware, Delaware.
 Ann Eliza Paul, Georgetown, D. C.
 Anna A. Peabody, Washington, D. C.
 William Peacock, Baltimore, Maryland.
 John Quinn, Washington county, D. C.
 Emma J. Speak, Washington, D. C.
 Aaron B. Showman, Rohrer'sville, Maryland.
 Ann Szymanoskie, Washington county, D. C.
 Willie E. Taylor, Macon, Georgia.
 Joseph White, Washington, D. C.
 John Williams, Washington, D. C.
 Isaac Winn, Washington county, D. C.

BLIND.

Bridget Braan, Washington, D. C.
 Mary M. Donaldson, Washington, D. C.
 Eliza A. Gibbons, Washington, D. C.
 John T. Gibbons, Washington, D. C.
 Daniel O'Connor, jr., Washington, D. C.
 Francis T. Seyes, Georgetown, D. C.

Appendix E.

SUBSCRIPTIONS.

James C. McGuire, (annual).....	\$100 00
William H. Edes, (annual).....	100 00
William W. Corcoran, (annual).....	100 00
George W. Riggs, jr., (annual).....	100 00

D.

REGULATIONS.

I. The academic year is divided into two terms, the first beginning on the second Thursday in September, and closing the 24th of December; the second beginning the 2d of January, and closing the first Wednesday in July.

II. The vacations are from the 24th of December to the 2d of January, and from the first Wednesday in July to the second Thursday in September.

III. There are holidays at Thanksgiving, at Easter, and the Fourth of July.

IV. The pupils may visit their homes during the regular vacations and at the above-named holidays, but at no other times, unless for some special, urgent reason, and then only by permission of the superintendent.

V. The bills for the maintenance and tuition of pupils supported by their friends must be paid semi-annually in advance.

VI. The charge for pay pupils is \$150 each per annum. This sum covers all expenses except clothing.

VII. The government of the United States defrays the expenses of those who reside in the District of Columbia, or whose parents are in the army or navy, provided they are unable to pay for their education.

VIII. The State of Maryland provides for the education in this institution of deaf mutes whose parents are in poor circumstances, when the applicants are under twenty-one years of age, have been residents of the State for two years prior to the date of application, and are of good mental capacity.

Persons in Maryland desiring to secure the benefit of the provisions above referred to are requested to address the superintendent of the institution.

IX. It is expected that the friends of the pupils will provide them with clothing, and it is important that upon entering or returning to the institution they should be supplied with a sufficient amount for an entire year. All clothing should be plainly marked with the owner's name.

An exception to the above regulation is made in the case of indigent pupils from Maryland, who are clothed by the institution.

X. All letters concerning pupils, or applications for admission, should be addressed to the superintendent.

REPORT

OF

THE METROPOLITAN BOARD OF POLICE.

DEPARTMENT OF METROPOLITAN POLICE,
Washington, November 21, 1861.

SIR: In accordance with the requirements contained in the 24th section of the act of the 6th of August last, "*to create a metropolitan police district of the District of Columbia, and to establish a police therefor,*" I have the honor to enclose herewith the annual report of said board of police, showing "*the condition of the police within said district.*"

This report was prepared some time since, but the unavoidable absence of the president of the board has caused a delay in sending it to the department. It being uncertain when he will return, I have taken the liberty of signing the report, as president *pro tem.*, in order to avoid further delay.

I have the honor to be, very respectfully, your obedient servant,
S. J. BOWEN,
President pro tem.

Hon. CALEB B. SMITH,
Secretary of the Interior.

DEPARTMENT OF METROPOLITAN POLICE,
Washington, November 4, 1861.

SIR: Under authority of the act of 6th of August last, "*to create a metropolitan police district of the District of Columbia, and to establish a police therefor,*" and by direction of the President of the United States, the board of police entered upon its duties on the 19th of that month, for the purpose of carrying into effect the provisions of the act.

Upon assuming their duties, the board of police found attached to the police department of the city of Washington an auxiliary guard, paid by the United States, of one captain, one lieutenant, and fifty patrolmen; and forty-six police constables employed by the corporate authorities—to the corporation of Georgetown, seven policemen, employed by that corporation; and under the authority of the district court, about seventy county constables, which latter, however, have not been considered as an effective police force within the limits of the cities of Washington and Georgetown, where most of them reside.

In the embarrassing state of the board upon its entry into existence, with little time for maturing plans of action or securing the best aids for effective operation, the board, at its first meeting, authorized the temporary continuance, as a police force, of those persons previously employed as the auxiliary guard, until the 1st of September. In the meantime, the provost guard patrolled the streets of the cities of Washington and Georgetown. The board were unable,

owing to change of its members and other embarrassing circumstances, to provide a sufficient police force during the first ten days in September, during which period the services of the guard, under the provost marshal, were invaluable. On the 11th of September, however, notwithstanding the many difficulties, such as a want of proper stations, arms, materials, &c., a force was provided under the act referred to, which has met public expectation. Although the police force provided by Congress is nearly full, it is believed to be much smaller than is desirable, especially during the present national troubles, when a population so large and changeable is about and within the police district. At the same time, the compensation provided is so small as greatly to enhance the embarrassments of the board, by preventing it from securing the services of persons most efficient and best capacitated for a police force. It is true, there has been no lack of candidates for the force, and even good ones, but the compensation is insufficient to induce permanency. Members of the force scarcely become familiar with their duties before they have offers of more liberal remuneration in other occupations, and they resign, and others less fortunate in business pursuits have to succeed them. Thus changes constantly occur, which seriously affect the efficiency of the force, and make the labors of the board more perplexing than they otherwise would be.

There has also occurred much difficulty in providing the means to attain all the results required by the act of Congress, inasmuch as the demands of the law are much greater than the capacity of the force provided to execute it. The law provides for a superintendent of police, at an annual salary of \$1,500; ten sergeants, at an annual salary of \$600 each, and not exceeding one hundred and fifty patrolmen, at \$40 per month each. It also provides one clerk, at a salary not exceeding \$1,000 per annum; thus, with the five commissioners, paid a nominal compensation, and two ex-officio members of the board, receiving none, the duty of originating and carrying into effect a service, at this time of vast importance, is imposed.

The permanent population of this police district, as shown by the census of 1860, was, in Washington city, 61,122; Georgetown, 8,733, and in the county of Washington, outside of said cities, 5,225; making an aggregate of 75,080 souls. An aggregate police force has been provided of about one to 470 inhabitants. Owing to the presence of the army, and its camp followers, &c., the force has been partitioned as follows: To the city of Washington, in the proportion of one to about 520 inhabitants; to Georgetown, one to about 540; and to the county, outside the corporate limits of the two cities, one to about 220 inhabitants, as rated in the census referred to.

The police district has been divided into ten precincts: the 1st being all that portion of the county of Washington east of the Anacostia or Eastern branch of the Potomac river; the 2d, all of the territory within said county lying north of the boundary line of the city of Washington, and between the Anacostia and Rock creek; the 3d, all that part of the county lying west of Rock creek, including the island of Analostan, in the Potomac, and the corporation of Georgetown; and the 4th, 5th, 6th, 7th, 8th, 9th and 10th, are constituted of the 1st, 2d, 3d, 4th, 5th, 6th and 7th wards of the city of Washington, respectively, each ward constituting one precinct.

During the period included between the 11th of September, when the force was organized, and the 31st of October, inclusive, there were 2,113 arrests made within the district, 313 of which have been turned over to the military authorities. In cases coming under the jurisdiction of the police, fines on account of offences committed against the United States, to the aggregate sum of \$1,440, and on account of those against the corporate authorities, to the sum of \$3,288 86, have been imposed within the period named.

It is proper that the board should state that the law creating the metropolitan police force does not specifically define its duties in regard to taking care of

like capacities, and a provision of law prohibiting any employé of the board or member of the police force from attending to or following any other business pursuit, it is believed the police of this district can be made to compare favorably with that of any other in the country.

It is deemed proper to suggest that the same compensation allowed to the commissioners of the board be allowed to the *ex-officio* members thereof, it being manifestly unjust to expect them to perform the duties required of them by the law gratuitously.

The following named officers and salaries for the whole establishment are deemed indispensable to the permanent efficiency of the force, and the board recommend that they be substituted for those provided by the act creating the board of police, viz:

1 treasurer	\$600 per annum.
1 secretary	1,200 " "
1 property clerk	1,200 " "
1 assistant clerk	1,000 " "
1 superintendent	1,500 " "
2 inspectors, each	1,000 " "
1 messenger	720 " "
10 sergeants, each	900 " "
20 roundsmen, each	720 " "
150 patrolmen, each	660 " "

I have the honor to be, very respectfully, your obedient servant,

S. J. BOWEN,

President pro tem. Board of Police.

HON. CALEB B. SMITH,
Secretary of the Interior.

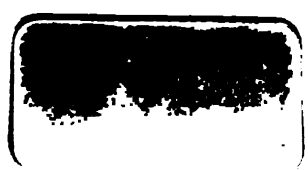
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